

DRAFT

MINUTES OF THE CITY COUNCIL
OF THE
CITY OF GREENSBORO, N. C.

REGULAR MEETING:

1 FEBRUARY 2000

Pursuant to motion made at the regular meeting of 18 January 2000, the City Council of the City of Greensboro met in regular session at 5:00 p.m. on the above date in the Council Chamber of the Melvin Municipal Office building with the following members present: Mayor Keith A. Holliday, presiding; Councilmembers Claudette Burroughs-White, Sandra G. Carmany, Yvonne J. Johnson, Earl F. Jones, Robert V. Perkins, Thomas M. Phillips, Donald R. Vaughan and Nancy Vaughan. Absent: None. Also present were J. Edward Kitchen, City Manager; Linda A. Miles, City Attorney; and Juanita F. Cooper, City Clerk.

The meeting was opened with a moment of silence and the Pledge of Allegiance to the Flag.

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The Manager recognized Tracey Stewart, employee in the Police Department, who served as courier for the meeting.

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The Mayor explained the Council procedure for conduct of the meeting.

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Speaking to the series of recent snow and ice storms which had plagued the City, the City Manager spoke to the long hours staff had worked to address the special weather circumstances and stated that the crews working on the streets had done outstanding work. The Manager advised he had received compliments from members of the Council and the public. He thereupon recognized members of the Transportation Department who were present for the meeting: Terry Bellamy, Dale Wyrick, Tim Elmore, Gerald Hall and Mike Mabe. The Manager also stated the crews responsible for this outstanding work would view a tape of this expression of appreciation. Mr. Bellamy spoke briefly to the ongoing work with the school system to address any remaining problem streets.

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Mayor Holliday advised that public hearing items 5 – 9, which were continued from the December 21, 1999 meeting of Council, could not be heard until 6:00 p.m.

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Mayor Holliday stated that a request had been received from Dawn Chaney to continue to the February 15, 2000 meeting of Council, item #20, an ordinance rezoning from RS-7 Residential Single Family to General Office Moderate Intensity for property located on the east side of Wharton Street between Florence Street and West Fisher Avenue.

Ms. Chaney stated that because she did not own a portion of the property contained in the rezoning request, this would constitute a third party rezoning; she thereupon requested a continuance to allow time for her to meet with that property owner to discuss whether that person would support the rezoning request.

After brief discussion Councilmember Johnson moved that this matter be continued to the February 15, 2000 meeting of Council without further advertising. The motion was seconded by Councilmember Burroughs-White and adopted unanimously by voice vote of the Council.

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance annexing territory to the corporate limits—located on the west side of Pleasant Ridge Road, north of West Market Street-9.06 acres. He thereupon introduced so that these matters could be discussed together, an ordinance establishing original zoning classification from County Zoning Agricultural and zoning reclassification from City Zoning RS-40 Residential Single Family to City Zoning Conditional Use-Corporate Park for property located on the west side of Pleasant Ridge Road between West Market Street and Cude Road. The Mayor administered the oath to those individual who wished to speak to this matter.

C. Thomas Martin, Planning Department Director, used a map to illustrate the property proposed for annexation and surrounding area and provided the following staff presentation for the conditional rezoning request:

REQUEST – ITEM 11

This request is to establish original zoning from County Zoning Agricultural and to rezone property from City Zoning RS-40 Residential Single Family to Conditional Use – Corporate Park.

The Agricultural District is primarily intended to accommodate uses of an agricultural nature including farm residences and nonfarm residences on large tracts of land.

The RS-40 District is primarily intended to accommodate single family detached dwellings on large lots at a density of 1.0 unit per acre or less.

The Corporate Park District is primarily intended to accommodate office, warehouse, research and development, and assembly uses on large sites in a planned, campus-like setting compatible with adjacent residential uses.

CONDITIONAL USE CONDITIONS FOR THE REQUESTED ZONING DISTRICT

- 1) Uses limited to the manufacturing, assembly, and repair of medical and surgical instruments (SIC Code 3840) including wholesaling, storage, and distributing such items.
- 2) Applicant shall construct and maintain an opaque privacy fence along the lines of any adjoining residentially zoned property to the extent (i.e. height and perimeter) permitted under the applicable ordinance.
- 3) To the extent possible, Applicant shall preserve any existing perimeter trees to serve as a buffer for adjoining residential properties.
- 4) Any trash containers (i.e. dumpsters) shall be screened.
- 5) Any exterior lighting shall be directed away from adjoining properties.

DESCRIPTION OF THE PROPERTY, SURROUNDING LAND USE AND ZONING

This property consists of approximately 10 acres and is located on the West Side of Pleasant Ridge Road between West Market Street and Cude Road.

	<u>Zoning</u>	<u>Land Use</u>
Subject Property	AG, RS-40	Vacant land
North	AG, RS-40	Single family dwelling & farmland
East	RS-40	3 single family dwellings

South	AG CU-LI	Vacant land N.C. Baseball Academy
West	AG	Vacant land, farmland

Mr. Martin stated that the Planning Department and Zoning Commission recommended approval of the ordinances; he thereupon presented slides of the property and surrounding area.

Mayor Holliday asked if anyone wished to be heard.

After brief discussion about the process used to notify citizens of annexation and zoning matters to be considered by the Council, and there being no one present desiring to speak to these ordinances, Councilmember Carmany moved that the public hearing be closed. The motion was seconded by Councilmember D. Vaughan and adopted unanimously by voice vote of the Council.

Mr. Martin provided the following staff recommendation:

The Planning Department recommends that this original zoning and rezoning request be approved. The Corporate Park District is intended to accommodate office and light industrial uses on large sites in a planned, campus-like setting which are compatible with adjacent residential uses. Staff feels CP is the ideal zoning district for the general area north of West Market Street and west of N.C. 68, given the proximity to the airport and the type of growth that is envisioned for this area. There already is a significant amount of CP zoned property in this area and several conditional use rezoning requests to Light Industrial have incorporated CP provisions as part of the application. For example, the site of the Postal Service distribution center to the south is zoned CU-LI but with a CP street setback, provisions for screening of parking areas and screening of loading docks. This current request incorporates screening by means of opaque fencing, tree preservation and screening of dumpsters. Staff feels that the proposed use is the type of activity that is compatible with the long term plan of development and recommended eventual zoning pattern for this extended area.

There being no one present desiring to speak to this matter, Councilmember Phillips moved adoption of the ordinance annexing territory to the corporate limits—located on the west side of Pleasant Ridge Road, north of West Market Street-9.06 acres. The motion was seconded by Councilmember Jones; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-6 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED ON THE WEST SIDE OF PLEASANT RIDGE ROAD, NORTH OF WEST MARKET STREET – 9.06 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point on the southwest property line of LorQuest Properties, LLC located on Pleasant Ridge Road, said point being located approximately 208 feet northwest of the northwest margin of Pleasant Ridge Road, said point also being on the city limit line which is located 200 feet northwest of and parallel to the northwest margin of Pleasant Ridge Road, thence departing from the city limit line and running the following bearings and distances:

N 75° 05' W, approximately 86.5 feet; S 07° 39' W, approximately 151 feet; S 26° 45' W, approximately 21.5 feet; N 85° 06' W, approximately 160 feet; S 09° 26' W, 293.33 feet; N 85° 32' W, 243.36 feet; N 14° 34' 30" W, 867.5 feet; S 73° 24' E, approximately 851.7 feet; S 75° 29' E, approximately 44.2 feet to a point on the northeast property line of LorQuest Properties, LLC, said point also being on the city limit line; thence running with the city limit line S 31° 18' W, 204.93 feet to the point of BEGINNING, containing 9.06 acres based on a drawing by John T. Morgan dated 4/23/66.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior

to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after April 30, 2000, the liability for municipal taxes for the 1999-2000 fiscal year shall be prorated on the basis of 2/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2000. Municipal ad valorem taxes for the 2000-2001 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after April 30, 2000.

(Signed) Thomas M. Phillips

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Councilmember Carmany moved that the ordinance establishing original zoning and rezoning this property to Conditional Use – Corporate Park be approved based on the following findings of fact:

- 1) The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety because there are no health or safety concerns inherent in the proposed use of the property.
- 2) The development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property because the Corporate Park District is intended to accommodate development which is compatible with adjacent residential uses.
- 3) The location and character of the development in accordance with the proposed conditions will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City and its environs because corporate park land uses are compatible with the long term plan of development and recommended eventual zoning pattern for this extended area.

The motion was seconded by Councilmember Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-11 AMENDING OFFICIAL ZONING MAP AND AUTHORIZING ISSUANCE OF CONDITIONAL USE PERMIT

WEST SIDE OF PLEASANT RIDGE ROAD BETWEEN WEST MARKET STREET AND CUDE ROAD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning Agricultural and rezoning from City Zoning RS-40 Residential Single Family to City Zoning Conditional Use – Corporate Park (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at a point in the western right-of-way line of Pleasant Ridge Road, said point being a C.E. Tucker's

southeast corner as recorded in Deed Book 1842, Page 121; thence along said western right-of-way line S31°18'W 204.93 feet to a point; thence leaving said western right-of-way line N75°05'W 208 feet to a point; thence N75°05'W 86.5 feet to a point; thence S07°39'W 151 feet to a point; thence S26°45'W 21.5 feet to a point; thence N85°06'W 160 feet to a point; thence S09°26'W 293.33 feet to a point; thence N85°32'W 243.36 feet to a point; thence N14°34'30"W 867.5 feet to a point; thence S73°24'E 851.7 feet to a point; thence S75°29'E 44.2 feet to a point; thence S75°29'E 239.97 feet to the point and place of BEGINNING, containing approximately 10.0 acres.

Section 2. That the issuance of a Conditional Use Permit in accordance with the above-mentioned change in zoning classification is hereby authorized subject to the following use limitations and conditions:

- 1) Uses limited to the manufacturing, assembly, and repair of medical and surgical instruments (SIC Code 3840) including wholesaling, storage, and distributing such items.
- 2) Applicant shall construct and maintain an opaque privacy fence along the lines of any adjoining residentially zoned property to the extent (i.e. height and perimeter) permitted under the applicable ordinance.
- 3) To the extent possible, Applicant shall preserve any existing perimeter trees to serve as a buffer for adjoining residential properties.
- 4) Any trash containers (i.e. dumpsters) shall be screened.
- 5) Any exterior lighting shall be directed away from adjoining properties.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development to be made pursuant to any Conditional Use Permit shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective upon the date of annexation.

(Signed) Sandy Carmany

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance annexing territory to the corporate limits—located on the east side of Renard Road and the north side of Neese Road—41.90 acres. He thereupon introduced so that these matters could be discussed together, an ordinance establishing original zoning classification from County Zoning RS-40 Residential Single Family to City Zoning RS-12 Residential Single Family for property located east of Liberty Road, north of Neese Road, and south of the terminus of Kilpatrick-White Road.

Mr. Martin stated that the Planning Board, Zoning Commission and Planning staff recommended approval of the annexation and rezoning requests. He thereupon used a map and slides to illustrate the property and surrounding area.

Charlie Melvin, attorney representing Sandra Anderson Builders, spoke in favor of the annexation and rezoning. Mr. Melvin advised combining this property with property already owned by the developer would allow better development planning and the construction of additional single family detached housing to serve the needs of the area.

Mr. Martin provided the following staff recommendation:

The Planning Department recommends that this original zoning request be approved. Property to the north and west of this tract was annexed and zoned RS-12 with an effective date of September 30, 1999. The Zoning Commission

recommended in favor of RS-12 and that zoning classification was approved by the City Council in July of last year. Staff feels that RS-12 is a reasonable district given the adjacent zoning and the fact that 12,000 square foot lots provide a logical and compatible urban lot size in this area.

After brief discussion, Councilmember Johnson moved that the public hearing be closed. The motion was seconded by Councilmember Perkins and adopted unanimously by voice vote of the Council.

Councilmember Perkins thereupon moved adoption of the ordinance annexing territory to the corporate limits—located on the east side of Renard Road and the north side of Neese Road—41.90 acres. The motion was seconded by Councilmember Perkins; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-12 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED ON THE EAST SIDE OF RENARD ROAD AND THE NORTH SIDE OF NEESE ROAD – 41.90 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING AT AN EXISTING IRON PIPE, (SAID EXISTING IRON PIPE BEING IN THE SOUTH LINE OF PLAT BOOK 62 PAGE 111 AND ALSO BEING S 83 DEG 15 MIN 56 SEC E DISTANCE BEING 451.99 FEET FROM AN EXISTING STONE IN THE SOUTH WEST CORNER OF PLAT BOOK 62 PAGE 111); THENCE WITH THE SOUTH LINE OF PLAT BOOK 62 PAGE 111 S 83 DEG 15 MIN 52 SEC E, DISTANCE BEING 1162.00 FEET TO A POINT, (SAID POINT BEING THE NORTHEAST CORNER OF DEED BOOK 1163 PAGE 317); THENCE WITH THE SOUTH LINE OF PLAT BOOK 62 PAGE 111 S 83 DEG 15 MIN 52 SEC E, DISTANCE BEING 394.65 FEET TO THE SOUTH WEST CORNER OF PLAT BOOK 96 PAGE 141; THENCE WITH THE SOUTHERN MARGIN OF PLAT BOOK 96 PAGE 141 S 83 DEG 15 MIN 52 SEC E, DISTANCE BEING 1011.67 FEET TO A POINT IN THE SOUTH LINE OF LOT 165-B AS RECORDED IN PLAT BOOK 76 PAGE 24; THENCE S 00 DEG 11 MIN 31 SEC E, DISTANCE BEING 439.30 TO A POINT IN NEESE ROAD; THENCE WITH NEESE ROAD S 76 DEG 30 MIN 26 SEC W, DISTANCE BEING 238.35 FEET TO A POINT; THENCE S 79 DEG 00 MIN 05 SEC W, DISTANCE BEING 1444.98 FEET TO A POINT; THENCE S 71 DEG 36 MIN 40 SEC W, DISTANCE BEING 234.99 FEET TO A POINT THE EASTERN 60 FOOT RIGHT-OF-WAY FOR RENARD ROAD; THENCE WITH A EASTERN 60 FOOT RIGHT-OF-WAY FOR RENARD ROAD N 18 DEG 23 MIN 20 SEC W, DISTANCE BEING 95.08 FEET TO A POINT; THENCE WITH A CURVE TO THE LEFT CHORD BEARING N 28 DEG 42 MIN 47 SEC W, CHORD DISTANCE BEING 454.12 FEET AND HAVING A RADIUS OF 1266.97 FEET TO A POINT; THENCE N 39 DEG 02 MIN 13 SEC W, DISTANCE BEING 544.93 FEET TO A POINT, SAID POINT BEING THE NORTHEASTERN MOST CORNER ON A 60 FOOT RIGHT-OF-WAY FOR RENARD ROAD AS RECORDED IN PLAT BOOK 42 PAGE 2; THENCE S 47 DEG 53 MIN 51 SEC W, DISTANCE BEING 87.59 FEET AND BEING A NORTHEAST CORNER WITH HOVIS; THENCE WITH HOVIS NORTH LINE N 40 DEG 40 MIN 09 SEC W, DISTANCE BEING 125.05 FEET TO A POINT; THENCE STILL WITH HOVIS N 47 DEG 52 MIN 41 SEC E, DISTANCE BEING 61.17 FEET TO A POINT; THENCE WITH HOVIS N 04 DEG 57 MIN 37 SEC E, DISTANCE BEING 157.61 FEET TO THE POINT AND PLACE OF BEGINNING, CONTAINING 40.4 ACRES MORE OR LESS, BASED ON A SURVEY BY EVANS ENGINEERING DATED 01-05-2000

RENARD ROAD RIGHT OF WAY

BEGINNING AT AN IRON PIPE, (SAID IRON PIPE BEING THE SOUTH EAST CORNER OF LOT 12 AS RECORDED IN PLAT BOOK 30 PAGE 93); THENCE ALONG THE NORTHERN PROPERTY LINE OF SAID LOT 12 THE FOLLOWING THREE (3) COURSES: 1) N 18 DEG 23 MIN 20 SEC W, DISTANCE BEING 95.08 FEET TO A POINT; THENCE WITH A CURVE TO THE LEFT A CHORD BEARING OF N 28 DEG 42 MIN 47 SEC W, CHORD DISTANCE BEING 432.61 FEET AND HAVING A RADIUS OF 1206.97 FEET; THENCE N 39 DEG 02 MIN 13 SEC W, DISTANCE BEING 541.72 FEET ALONG SAID NORTHERN PROPERTY LINE OF LOT 12 AND THE NORTHERN PROPERTY LINES OF LOTS 23 AND 24 OF SAID PLAT BOOK 30 PAGE 93, TO THE POINT OF INTERSECTION WITH THE NANCY S. NEESE HEIRS PROPERTY AS DESCRIBED IN DEED BOOK 1163 PAGE 617; THENCE ALONG THE PROPERTY LINES OF SAID NEESE PROPERTY THE FOLLOWING FOUR (4) COURSES: 1) N 47 DEG 53 MIN 51 SEC E, DISTANCE BEING 60.09 FEET TO A POINT; 2) THENCE S 39 DEG 02 MIN 13 SEC E DISTANCE BEING 544.93 FEET TO A POINT; 3) THENCE WITH A CURVE TO THE RIGHT A CHORD BEARING OF S 28 DEG 42 MIN 47 SEC E, CHORD DISTANCE BEING 454.12 FEET AND HAVING A RADIUS OF 1266.97 FEET; 4) THENCE S 18 DEG 23 MIN

20 SEC E, DISTANCE BEING 95.08 FEET TO THE POINT OF INTERSECTION WITH THE NORTHERN RIGHT-OF-WAY LINE OF NEESE ROAD; THENCE ALONG SAID NORTHERN RIGHT-OF-WAY LINE S 71 DEG 36 MIN 40 SEC W, DISTANCE BEING 60.01 FEET TO THE POINT AND PLACE OF BEGINNING CONTAINING 1.5 ACRES MORE OR LESS, BASED ON A SURVEY BY EVANS ENGINEERING DATED 01-05-2000.

TOTAL AREA IS 41.90 ACRES.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after April 30, 2000, the liability for municipal taxes for the 1999-2000 fiscal year shall be prorated on the basis of 2/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2000. Municipal ad valorem taxes for the 2000-2001 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after April 30, 2000.

(Signed) Robert V. Perkins

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Councilmember Perkins moved adopted of the ordinance establishing original zoning classification from County Zoning RS-40 Residential Single Family to City Zoning RS-12 Residential Single Family for property located east of Liberty Road, north of Neese Road, and south of the terminus of Kilpatrick-White Road. The motion was seconded by Councilmember Phillips; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-13 AMENDING OFFICIAL ZONING MAP

EAST OF LIBERTY ROAD, NORTH OF NEESE ROAD AND SOUTH OF THE TERMINUS OF KILPATRICK-WHITE ROAD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning RS-40 Residential Single Family to City Zoning RS-12 Residential Single Family uses for the area described as follows:

Tract 1

BEGINNING AT AN EXISTING IRON PIPE, (SAID EXISTING IRON PIPE BEING IN THE SOUTH LINE OF PLAT BOOK 62 PAGE 111 AND ALSO BEING S 83 DEG 15 MIN 56 SEC E DISTANCE BEING 451.99 FEET FROM AN EXISTING STONE IN THE SOUTH WEST CORNER OF PLAT BOOK 62 PAGE 111); THENCE WITH THE SOUTH LINE OF PLAT BOOK 62 PAGE 111 S 83 DEG 15 MIN 52 SEC E, DISTANCE BEING 1162.00 FEET TO A POINT, (SAID POINT BEING THE NORTHEAST CORNER OF DEED BOOK 1163

PAGE 317); THENCE WITH THE SOUTH LINE OF PLAT BOOK 62 PAGE 111 S 83 DEG 15 MIN 52 SEC E, DISTANCE BEING 394.65 FEET TO THE SOUTH WEST CORNER OF PLAT BOOK 96 PAGE 141; THENCE WITH THE SOUTHERN MARGIN OF PLAT BOOK 96 PAGE 141 S 83 DEG 15 MIN 52 SEC E, DISTANCE BEING 1011.67 FEET TO A POINT IN THE SOUTH LINE OF LOT 165-B AS RECORDED IN PLAT BOOK 76 PAGE 24; THENCE S 00 DEG 11 MIN 31 SEC E, DISTANCE BEING 439.30 TO A POINT IN NEESE ROAD; THENCE WITH NEESE ROAD S 76 DEG 30 MIN 26 SEC W, DISTANCE BEING 238.35 FEET TO A POINT; THENCE S 79 DEG 00 MIN 05 SEC W, DISTANCE BEING 1444.98 FEET TO A POINT; THENCE S 71 DEG 36 MIN 40 SEC W, DISTANCE BEING 234.99 FEET TO A POINT THE EASTERN 60 FOOT RIGHT-OF-WAY FOR RENARD ROAD; THENCE WITH A EASTERN 60 FOOT RIGHT-OF-WAY FOR RENARD ROAD N 18 DEG 23 MIN 20 SEC W, DISTANCE BEING 95.08 FEET TO A POINT; THENCE WITH A CURVE TO THE LEFT CHORD BEARING N 28 DEG 42 MIN 47 SEC W, CHORD DISTANCE BEING 454.12 FEET AND HAVING A RADIUS OF 1266.97 FEET TO A POINT; THENCE N 39 DEG 02 MIN 13 SEC W, DISTANCE BEING 544.93 FEET TO A POINT, SAID POINT BEING THE NORTHEASTERN MOST CORNER ON A 60 FOOT RIGHT-OF-WAY FOR RENARD ROAD AS RECORDED IN PLAT BOOK 42 PAGE 2; THENCE S 47 DEG 53 MIN 51 SEC W, DISTANCE BEING 87.59 FEET AND BEING A NORTHEAST CORNER WITH HOVIS; THENCE WITH HOVIS NORTH LINE N 40 DEG 40 MIN 09 SEC W, DISTANCE BEING 125.05 FEET TO A POINT; THENCE STILL WITH HOVIS N 47 DEG 52 MIN 41 SEC E, DISTANCE BEING 61.17 FEET TO A POINT; THENCE WITH HOVIS N 04 DEG 57 MIN 37 SEC E, DISTANCE BEING 157.61 FEET TO THE POINT AND PLACE OF BEGINNING, CONTAINING 40.4 ACRES MORE OR LESS, BASED ON A SURVEY BY EVANS ENGINEERING DATED 01-05-2000

Renard Road Right of Way

BEGINNING AT AN IRON PIPE, (SAID IRON PIPE BEING THE SOUTH EAST CORNER OF LOT 12 AS RECORDED IN PLAT BOOK 30 PAGE 93); THENCE ALONG THE NORTHERN PROPERTY LINE OF SAID LOT 12 THE FOLLOWING THREE (3) COURSES: 1) N 18 DEG 23 MIN 20 SEC W, DISTANCE BEING 95.08 FEET TO A POINT; THENCE WITH A CURVE TO THE LEFT A CHORD BEARING OF N 28 DEG 42 MIN 47 SEC W, CHORD DISTANCE BEING 432.61 FEET AND HAVING A RADIUS OF 1206.97 FEET; THENCE N 39 DEG 02 MIN 13 SEC W, DISTANCE BEING 541.72 FEET ALONG SAID NORTHERN PROPERTY LINE OF LOT 12 AND THE NORTHERN PROPERTY LINES OF LOTS 23 AND 24 OF SAID PLAT BOOK 30 PAGE 93, TO THE POINT OF INTERSECTION WITH THE NANCY S. NEESE HEIRS PROPERTY AS DESCRIBED IN DEED BOOK 1163 PAGE 617; THENCE ALONG THE PROPERTY LINES OF SAID NEESE PROPERTY THE FOLLOWING FOUR (4) COURSES: 1) N 47 DEG 53 MIN 51 SEC E, DISTANCE BEING 60.09 FEET TO A POINT; 2) THENCE S 39 DEG 02 MIN 13 SEC E DISTANCE BEING 544.93 FEET TO A POINT; 3) THENCE WITH A CURVE TO THE RIGHT A CHORD BEARING OF S 28 DEG 42 MIN 47 SEC E, CHORD DISTANCE BEING 454.12 FEET AND HAVING A RADIUS OF 1266.97 FEET; 4) THENCE S 18 DEG 23 MIN 20 SEC E, DISTANCE BEING 95.08 FEET TO THE POINT OF INTERSECTION WITH THE NORTHERN RIGHT-OF-WAY LINE OF NEESE ROAD; THENCE ALONG SAID NORTHERN RIGHT-OF-WAY LINE S 71 DEG 36 MIN 40 SEC W, DISTANCE BEING 60.01 FEET TO THE POINT AND PLACE OF BEGINNING CONTAINING 1.5 ACRES MORE OR LESS, BASED ON A SURVEY BY EVANS ENGINEERING DATED 01-05-2000.

Section 2. This ordinance shall be effective upon the date of annexation.

(Signed) Robert V. Perkins

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance annexing territory to the corporate limit—located on the west side of Horse Pen Creek Road-13.01 acres. He thereupon introduced so that these matters could be discussed together: an ordinance establishing original zoning classification from County Zoning Agricultural to City Zoning RS-12 Residential Single Family for property located on the west side of Horse Pen Creek Road north of Chance Road; an ordinance annexing territory to the corporate limits—located on the east side of Horse Pen Creek Road-102.39 acres; an ordinance establishing original zoning classification from County Zoning RS-12 Residential Single Family to City Zoning Public and Institutional for property located on the east side of Horse Pen Creek Road north of Two Oaks Drive and west of the terminus of

Drawbridge Parkway; an ordinance annexing territory to the corporate limits—located on the east side of Horse Pen Creek Road-1.54 acres; and an ordinance establishing original zoning classification from County Zoning RS-12 Residential Single Family to City Zoning RS-12 Residential Single Family for property located on the east side of Horse Pen Creek Road north of Chance Road.

Mr. Martin used a map to illustrate the properties, surrounding area and proximity to the proposed urban loop; he stated that the Planning Board, Zoning Commission and Planning staff recommended approval of the ordinances. Council declined his offer to provide slides of the property. Mr. Martin also provided the following staff recommendations:

Item 15 – Caldwell Academy

The Planning Department recommends that this original zoning to RS-12 be approved. This is the site of Caldwell Academy and RS-12 permits new schools on a minimum of three acres with primary access to a collector or thoroughfare. Horse Pen Creek Road is a minor thoroughfare. Since staff does not encourage Agricultural zoning within the city limits, RS-12 is a reasonable original zoning classification.

Item 17 – City Property and Middle School Site

The Planning Department recommends that this original zoning of Public and Institutional be approved. This is the site of a new middle school, as well as a potential site for a fire station and library. The PI zoning classification allows for all three uses. Given the fact that the Well Spring life care community is adjacent on one side and zoned GU-GO-M, and the Urban Loop is north of and crosses the northwestern corner of this property, staff feels that PI is a reasonable classification that will permit an appropriate mix of school and governmental uses.

Item 19 – Montessori School Property

The Planning Department recommends that this original zoning to RS-12 be approved. The bulk of the Montessori School property is already zoned RS-12.

The Mayor asked if anyone wished to be heard.

There being no one present desiring to speak to this items, Councilmember Vaughan moved that the public hearing be closed. The motion was seconded by Councilmember Carmany and adopted unanimously by voice vote.

Councilmember Johnson moved adoption of the ordinance annexing territory to the corporate limits—located on the west side of Horse Pen Creek Road-13.01 acres. The motion was seconded by Councilmember Phillips; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-14 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED ON THE WEST SIDE OF HORSE PEN CREEK ROAD – 13.01 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at the southwest corner of Lot 1, Caldwell Academy, as recorded at Plat Book 135, Page 54 in the Office of the Guilford County Register of Deeds; thence N 07° 49' 59" E 350.00 feet along the west line of said lot to a point; thence N 20° 35' 13" W 566.55 feet along said west line to the northwest corner of said lot; thence N 81° 40' 24" E 810.04 feet to a point east of the center line of Horse Pen Creek Road; thence continuing N 81° 40' 24" E to the east right-of-way line of said road; thence in a southerly direction along said east right-of-way line approximately 900 feet to the intersection of said right-of-way line and the westward projection of the north line of Lot 1 of City of Greensboro "K" Middle School Site, as recorded at Plat Book 132, Page 139; thence N 89° 53' 40" W approximately 80 feet, crossing Horse Pen Creek Road to a point in the west right-of-way line of said road; thence in a southerly direction along said west right-of-way line approximately 80 feet to the southwest corner of

Lot 1, Caldwell Academy; thence N 87° 58' 30" W 545.00 feet to the point and place of BEGINNING, and containing 13.01 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after April 30, 2000, the liability for municipal taxes for the 1999-2000 fiscal year shall be prorated on the basis of 2/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2000. Municipal ad valorem taxes for the 2000-2001 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after April 30, 2000.

(Signed) Yvonne J. Johnson

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Councilmember Phillips moved adoption of the ordinance establishing original zoning classification from County Zoning Agricultural to City Zoning RS-12 Residential Single Family for property located on the west side of Horse Pen Creek Road north of Chance Road. The motion was seconded by Councilmember Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-15 AMENDING OFFICIAL ZONING MAP

WEST SIDE OF HORSE PEN CREEK ROAD NORTH OF CHANCE ROAD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning Agricultural to City Zoning RS-12 Residential Single Family uses for the area described as follows:

BEGINNING at the southwest corner of Lot 1, Caldwell Academy, as recorded at Plat Book 135, Page 54 in the Office of the Guilford County Register of Deeds; thence N 07° 49' 59" E 350.00 feet along the west line of said lot to a point; thence N 20° 35' 13" W 566.55 feet along said west line to the northwest corner of said lot; thence N 81° 40' 24" E 810.04 feet to a point east of the center line of Horse Pen Creek Road; thence continuing N 81° 40' 24" E to the east right-of-way line of said road; thence in a southerly direction along said east right-of-way line approximately 900 feet to the intersection of said right-of-way line and the westward projection of the north line of Lot 1 of City of Greensboro "K" Middle School Site, as recorded at Plat Book 132, Page 139; thence N 89° 53' 40" W approximately 80 feet, crossing Horse Pen Creek Road to a point in the west right-of-way line of said road; thence in a southerly direction along said west right-of-way line approximately 80 feet to the southwest corner of Lot 1, Caldwell Academy; thence N 87° 58' 30" W 545.00 feet to the point and place of BEGINNING, and containing 13.01 acres.

Section 2. This ordinance shall become effective upon the date of annexation.

(Signed) Thomas M. Phillips

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Councilmember Johnson moved adoption of the ordinance annexing territory to the corporate limits—located on the east side of Horse Pen Creek Road-102.39 acres. The motion was seconded by Councilmember Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-16 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED ON THE EAST SIDE OF HORSE PEN CREEK ROAD – 102.39 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing city limits of the City of Greensboro, said point being in the east line of Lot 1 of Property of Greensboro Montessori School, as recorded at Plat Book 121, Page 86 in the Office of the Guilford County Register of Deeds; thence N 03° 36' E approximately 90 feet along the east line of said Lot 1 to the northeast corner of said lot; thence N 88° 27' W 724.22 feet along the north line of said Lot 1 to the northwest corner of said Lot 1; thence continuing N 88° 27' W approximately 60 feet, crossing Horse Pen Creek Road, to a point on the west right-of-way line of said road; thence in a northerly direction with said west right-of-way line approximately 1,142 feet to the intersection of said right-of-way line and the westward projection of the north line of Lot 1 of City of Greensboro "K" Middle School Site, as recorded at Plat Book 132, Page 139, thence S 89° 53' 40" E approximately 460 feet, crossing Horse Pen Creek Road and running with the north line of said Lot 1, to a point in said north line; thence S 89° 50' 54" E 1,230.82 feet to a point in the north line of Lot 2 of said subdivision; thence S 89° 53' 05" E 558.11 feet to a point in the north line of said Lot 2; thence S 89° 49' 42" E 362.46 feet to the northeast corner of said Lot 2, a point in the existing city limits; THENCE PROCEEDING THE FOLLOWING COURSES AND DISTANCES WITH THE EXISTING CITY LIMITS: S 04° 13' 54" W 1,715.89 feet to a point in the east line of that property Dedicated to City of Greensboro as Drainageway and Open Space in said subdivision; thence S 03° 36' 10" W 161.52 feet along said east line to a point in the center of Horsepen Creek; thence in a southwesterly direction with the meandering of the center line of Horsepen Creek approximately 950 feet to its confluence with a tributary stream; thence N 66° 14' W approximately 60 feet along the north line of Dean Dean R. Warrington, as recorded at Deed Book 3921, Page 899, along said tributary stream to a point; thence N 49° 29' W 78.47 feet along said north line to a point; thence S 65° 40' W 63.97 feet along said north line to a point; thence N 49° 30' W 50.45 feet along said north line to a point; thence N 05° 30' E 60.00 feet along the east line of Drainageway and Open Space on Map 2 of Section 4 of Quaker Run, as recorded at Plat Book 106, Page 123 to a point; thence N 54° 30' W 105.00 feet along the northeast line of said Drainageway and Open Space along said stream to a point; thence S 78° 22' W 88.24 feet along the north line of Drainageway and Open Space and Common Area on said Map 2 to a corner of Lot 17 on said Map 2; thence N 63° 14' 51" W 83.35 feet along the north lines of Lots 17, 16, and 15 of Map 2 to a point; thence N 38° 45' 13" W 81.96 feet along the north lines of Lots 15 and 14 of Map 2 to a point; thence S 53° 17' 13" W 23.94 feet along the north line of Lot 14 to a point; thence N 31° 30' 19" W 72.01 feet along the north lines of Lots 14 and 13 of Map 2 to a point; thence N 80° 34' 50" W 24.36 feet along the north line of said Lot 13 to a point; thence N 11° 11' 44" W 143.46 feet along the east line of Map 1 of Section 4 of Quaker Run, as recorded at Plat Book 104, Page 88, to a point; thence N 26° 56' 19" W 147.68 feet along said east line to a point; thence N 31° 34' 35" W 200.71 feet along said east line to a point in the center line of said stream at the northeast corner of the Common Area on said Map 1; thence in a northerly direction along the centerline of said stream and then along the south and west shorelines of a lake on property (formerly) of Arthur Freedman approximately 700 feet to the northernmost point of said lake; thence in a westerly direction approximately 290 feet to the point and place of BEGINNING, and containing 102.39 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior

to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after April 30, 2000, the liability for municipal taxes for the 1999-2000 fiscal year shall be prorated on the basis of 2/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2000. Municipal ad valorem taxes for the 2000-2001 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after April 1, 2000.

(Signed) Yvonne J. Johnson

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Councilmember Phillips moved adoption of the ordinance establishing original zoning classification from County Zoning RS-12 Residential Single Family to City Zoning Public and Institutional for property located on the east side of Horse Pen Creek Road north of Two Oaks Drive and west of the terminus of Drawbridge Parkway. The motion was seconded by Councilmember Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-17 AMENDING OFFICIAL ZONING MAP

EAST SIDE OF HORSE PEN CREEK ROAD NORTH OF TWO OAKS DRIVE AND WEST OF THE TERMINUS OF DRAWBIRDGE PARKWAY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning RS-12 Residential Single Family to City Zoning Public and Institutional uses for the area described as follows:

BEGINNING at a point in the existing city limits of the City of Greensboro, said point being in the east line of Lot 1 of Property of Greensboro Montessori School, as recorded at Plat Book 121, Page 86 in the Office of the Guilford County Register of Deeds; thence N 03° 36' E approximately 90 feet along the east line of said Lot 1 to the northeast corner of said lot; thence N 88° 27' W 724.22 feet along the north line of said Lot 1 to the northwest corner of said Lot 1; thence continuing N 88° 27' W approximately 60 feet, crossing Horse Pen Creek Road, to a point on the west right-of-way line of said road; thence in a northerly direction with said west right-of-way line approximately 1,142 feet to the intersection of said right-of-way line and the westward projection of the north line of Lot 1 of City of Greensboro "K" Middle School Site, as recorded at Plat Book 132, Page 139, thence S 89° 53' 40" E approximately 460 feet, crossing Horse Pen Creek Road and running with the north line of said Lot 1, to a point in said north line; thence S 89° 50' 54" E 1,230.82 feet to a point in the north line of Lot 2 of said subdivision; thence S 89° 53' 05" E 558.11 feet to a point in the north line of said Lot 2; thence S 89° 49' 42" E 362.46 feet to the northeast corner of said Lot 2, a point in the existing city limits; THENCE PROCEEDING THE FOLLOWING COURSES AND DISTANCES WITH THE EXISTING CITY LIMITS: S 04° 13' 54" W 1,715.89 feet to a point in the east line of that property Dedicated to City of Greensboro as Drainageway and Open Space in said subdivision; thence S 03° 36' 10" W 161.52 feet along said east line to a point in the center of Horsepen Creek; thence in a

southwesterly direction with the meandering of the center line of Horsepen Creek approximately 950 feet to its confluence with a tributary stream; thence N 66° 14' W approximately 60 feet along the north line of Dean Dean R. Warrington, as recorded at Deed Book 3921, Page 899, along said tributary stream to a point; thence N 49° 29' W 78.47 feet along said north line to a point; thence S 65° 40' W 63.97 feet along said north line to a point; thence N 49° 30' W 50.45 feet along said north line to a point; thence N 05° 30' E 60.00 feet along the east line of Drainageway and Open Space on Map 2 of Section 4 of Quaker Run, as recorded at Plat Book 106, Page 123 to a point; thence N 54° 30' W 105.00 feet along the northeast line of said Drainageway and Open Space along said stream to a point; thence S 78° 22' W 88.24 feet along the north line of Drainageway and Open Space and Common Area on said Map 2 to a corner of Lot 17 on said Map 2; thence N 63° 14' 51" W 83.35 feet along the north lines of Lots 17, 16, and 15 of Map 2 to a point; thence N 38° 45' 13" W 81.96 feet along the north lines of Lots 15 and 14 of Map 2 to a point; thence S 53° 17' 13" W 23.94 feet along the north line of Lot 14 to a point; thence N 31° 30' 19" W 72.01 feet along the north lines of Lots 14 and 13 of Map 2 to a point; thence N 80° 34' 50" W 24.36 feet along the north line of said Lot 13 to a point; thence N 11° 11' 44" W 143.46 feet along the east line of Map 1 of Section 4 of Quaker Run, as recorded at Plat Book 104, Page 88, to a point; thence N 26° 56' 19" W 147.68 feet along said east line to a point; thence N 31° 34' 35" W 200.71 feet along said east line to a point in the center line of said stream at the northeast corner of the Common Area on said Map 1; thence in a northerly direction along the centerline of said stream and then along the south and west shorelines of a lake on property (formerly) of Arthur Freedman approximately 700 feet to the northernmost point of said lake; thence in a westerly direction approximately 290 feet to the point and place of BEGINNING, and containing 102.39 acres.

Section 2. This ordinance shall be effective upon the date of annexation.

(Signed) Donald R. Vaughan

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Councilmember Vaughan moved adoption of the ordinance annexing territory to the corporate limits—1.54 acres. The motion was seconded by Councilmember Phillips; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-18 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED ON THE EAST SIDE OF HORSE PEN CREEK ROAD – 1.54 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing city limits of the City of Greensboro, said point being in the west right-of-way line of Horse Pen Creek Road; thence in a northerly direction with the said west right-of-way line approximately 84 feet to the intersection of said right-of-way line and the westward projection of the north line of Lot 1 of Property of Greensboro Montessori School, as recorded at Plat Book 121, Page 86 in the Office of the Guilford County Register of Deeds; thence S 88° 27' E approximately 60 feet, crossing Horse Pen Creek Road, to the northwest corner of said Lot 1; thence S 88° 27' E 724.22 feet along the north line of said Lot 1 to the northeast corner of said Lot 1; thence S 03° 36' W approximately 90 feet along the east line of said Lot 1 to a point in the existing city limits; THENCE WITH THE EXISTING CITY LIMITS in a westerly direction approximately 210 feet to the northeast corner of the original Lot 1; as recorded at Plat Book 90, Page 12; thence N 88° 27' W approximately 563 feet along the north line of said lot and the westward projection of said north line to the point and place of BEGINNING, and containing 1.54 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after April 30, 2000, the liability for municipal taxes for the 1999-2000 fiscal year shall be prorated on the basis of 2/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2000. Municipal ad valorem taxes for the 2000-2001 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after April 1, 2000.

(Signed) Donald R. Vaughan

.....

Councilmember Vaughan moved adoption of the ordinance establishing original zoning classification from County Zoning RS-12 Residential Single Family to City Zoning RS-12 Residential Single Family for property located on the east side of Horse Pen Creek Road north of Chance Road. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-19 AMENDING OFFICIAL ZONING MAP

EAST SIDE OF HORSE PEN CREEK ROAD NORTH OF CHANCE ROAD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning RS-12 Residential Single Family to City Zoning RS-12 Residential Single Family uses for the area described as follows:

BEGINNING at a point in the existing city limits of the City of Greensboro, said point being in the west right-of-way line of Horse Pen Creek Road; thence in a northerly direction with the said west right-of-way line approximately 84 feet to the intersection of said right-of-way line and the westward projection of the north line of Lot 1 of Property of Greensboro Montessori School, as recorded at Plat Book 121, Page 86 in the Office of the Guilford County Register of Deeds; thence S 88° 27' E approximately 60 feet, crossing Horse Pen Creek Road, to the northwest corner of said Lot 1; thence S 88° 27' E 724.22 feet along the north line of said Lot 1 to the northeast corner of said Lot 1; thence S 03° 36' W approximately 90 feet along the east line of said Lot 1 to a point in the existing city limits; THENCE WITH THE EXISTING CITY LIMITS in a westerly direction approximately 210 feet to the northeast corner of the original Lot 1; as recorded at Plat Book 90, Page 12; thence N 88° 27' W approximately 563 feet along the north line of said lot and the westward projection of said north line to the point and place of BEGINNING, and containing 1.54 acres.

Section 2. This ordinance shall be effective upon the date of annexation.

(Signed) Donald R. Vaughan

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The Mayor noted that the ordinance rezoning from RS-7 Residential Single Family to General Office Moderate Intensity for property located on the east side of Wharton Street between Florence Street and West Fisher Avenue had been continued to the February 15, 2000 meeting of Council.

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance rezoning from RS-7 Residential Single Family to Limited Office for property located at the northwest intersection of Trade Street and Ardmore Drive.

Mr. Martin presented a map and slides to illustrate the property and surrounding area, stated that the request was compatible with the neighborhood, and advised that the Planning Board and Planning Department recommended approval of the request.

The Mayor asked if anyone wished to be heard.

Josetha Bethea, residing at 3106 South Hampton Drive and representing the United Way of Greater Greensboro, spoke in favor of the rezoning. She detailed the agency's desire to develop a Family Resource Center on this site for the Hampton year-round Elementary School to fill the critical gap in services in family enrichment and school readiness for pre-school children and their families.

Debra Jones, residing at 1 Smokerise Court and principal of Hampton School, spoke in support of the rezoning and reiterated the need for these services.

Michael Shiftan, residing at 3707 Wedgedale Place, spoke in favor of this request to rezone the property to allow the use this house in a manner that would compliment the neighborhood.

After some members of Council briefly discussed details regarding the rationale for the requested zoning classification and the fact that other uses were permitted under the requested zoning, Ms. Jones stated they were aware of the potential for other uses on this property and were not concerned about possible future uses.

Mr. Martin provided the following staff recommendation:

The Planning Department recommends that this request be approved. The Limited Office District is primarily intended to accommodate low intensity administrative or professional office uses on small sites near residential areas. The District was established to address this very type of situation. In this case, the proximity to Hampton School offers a good opportunity to house the administration and development of community programs that may be operated in conjunction with the school to serve the needs of the neighborhood. Although that is one option of many potential uses, staff feels that low intensity office use of this property in any capacity would not adversely affect the surrounding neighborhood.

Councilmember Johnson moved adoption of the ordinance. The motion was seconded by Councilmember Burroughs-White; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-20 AMENDING OFFICIAL ZONING MAP

NORTHWEST INTERSECTION OF TRADE STREET AND ARDMORE DRIVE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by rezoning from RS-7 Residential Single Family to Limited Office uses for the area described as follows:

BEGINNING at a point in the intersection of the western right-of-way line of Ardmore Drive and the northern right-of-way line of Trade Street; thence along said northern right-of-way line N71°48'W 112.98 feet to a point, said point being the southeast corner of Lot 191 of Washington Park Subdivision as recorded in Plat Book 13, Page 74 in the Office of the Guilford County Register of Deeds; thence along the line of said Lot 191 N17°28'E 150 feet to a point; thence S71°48'E 73.5 feet to a point in the western right-of-way line of Ardmore Drive; thence along said

western right-of-way line in a southerly direction 155.61 feet to the point and place of BEGINNING, being all of Lots 189 and 190 of said Washington Park Subdivision.

(Signed) Yvonne J. Johnson

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The Mayor stated that this was the time and place set for a public hearing to consider an ordinance rezoning from Conditional Use-General Business to Conditional Use-General Office Moderate Intensity for property located at the northwest intersection of Oakland Avenue and Aycock Street.

Mr. Martin used a map to illustrate the property, stated this was formerly the site of the Jokers III and provided the following staff presentation:

REQUEST

This request is to rezone property from Conditional Use – General Business to Conditional Use – General Office Moderate Intensity.

The General Business District is primarily intended to accommodate a wide range of retail, service, and office uses.

The General Office Moderate Intensity District is primarily intended to accommodate moderate intensity office and institutional uses, moderate density residential uses at 12.0 units per acre or less, and supporting service uses.

The existing Conditional Use – General Business District contains the conditions which are listed in the copy of the staff report:

- 1) Uses limited to a night club and accessory uses.
- 2) No sexually oriented business shall be operated on the property.
- 3) Aycock Street access limited to one driveway to be shared with property to the north.

CONDITIONAL USE CONDITIONS FOR THE REQUESTED ZONING DISTRICT

- 1) To be used for telephone market research.

DESCRIPTION OF THE PROPERTY, SURROUNDING LAND USE AND ZONING

This property consists of approximately 2.1 acres and is located at the northwest intersection of Oakland Avenue and Aycock Street.

	<u>Zoning</u>	<u>Land Use</u>
Subject Property	CU-GB	Former nightclub
North	GB	Drug store, apartment building, office building, & restaurant parking lot
East	PI	UNCG dormitory and water tank
South	HB	Public street & railroad right-of-way
West	LI	Distributor of machinery, equipment & supplies

Mr. Martin stated that the Planning Department and the Zoning Commission recommended approval of the request; he presented slides of the property and surrounding area.

At the request of the Mayor, Mr. Martin and the City Attorney explained how the nuisance abatement for the above business could impact the future zoning of this property. The City Attorney advised that the location of a bar on this property had been prohibited by the court and would stay with the property. Mr. Martin advised if problems should arise with respect to zoning on this property, the City could initiate zoning changes to address concerns.

Mayor Holliday asked if anyone wished to be heard.

After brief discussion, Councilmember Carmany moved that the public hearing be closed. The motion was seconded by Councilmember Vaughan and adopted unanimously by voice vote of the Council.

Mr. Martin provided the following staff recommendation:

The Planning Department recommends that this request be approved. This property was rezoned to Conditional Use – General Business by the Zoning Commission in November 1995. By condition, the property could only be used for a night club. Since the initiation of the night club, activities associated with it have been the subject of many neighborhood complaints. Rezoning of this property for a telephone market research operation, which is a relatively low key type of land use, will permit a more compatible activity in terms of the surrounding office, residential, and university land uses.

Councilmember Vaughan moved that the ordinance rezoning this property to Conditional use-General Office Moderate Intensity be approved based on the following findings of fact:

- 1) The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety because there are no health or safety concerns inherent in the proposed use of the property for telephone market research.
- 2) The development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property because it will replace a land use which has in the past adversely affected the value of adjacent property with a low key type of office operation.
- 3) The location and character of the development in accordance with the proposed conditions will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City and its environs because a telephone market research operation is more compatible with surrounding office, residential, and university land uses than the former use of the property for a nightclub.

The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-21 AMENDING OFFICIAL ZONING MAP AND AUTHORIZING ISSUANCE OF CONDITIONAL USE PERMIT

NORTHWEST INTERSECTION OF OAKLAND AVENUE AND AYCOCK STREET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by rezoning from Conditional Use – General Business to Conditional Use – General Office Moderate Intensity (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at a point in the eastern right-of-way line of South Aycock Street, said point being a common corner of Lots 19 and 20 of Guilford County Tax Map 87, Block 7; thence along said eastern right-of-way line in a southerly direction approximately 300 feet to a point in the centerline of Norfolk Southern Railroad right-of-way;

thence along said centerline in a southwesterly direction approximately 400 feet to a point; thence in a northwesterly direction approximately 50 feet to a point in the northern right-of-way line of Oakland Avenue, said point being a common corner of Lots 9 and 10 of Guilford County Tax Map 110, Block 1; thence N15°04'W approximately 200 feet to a point in an existing zoning line; thence along said zoning line in a northeasterly direction approximately 170 feet to a point; said point being the southwest corner of Lot 12, Guilford County Tax Map 110, Block 1; thence N71°56'E 172.11 feet to a point; thence along the line of Lots 17 and 18 of Guilford County Tax Map 110, Block 1 in a northeasterly direction 75.5 feet to a point, said point being the northwest corner of Lot 17; thence along the line of Lot 17 in an easterly direction 111.17 feet to a point in the western right-of-way line of South Aycock Street; thence crossing South Aycock Street in an easterly direction approximately 80 feet to the point of BEGINNING.

Section 2. That the issuance of a Conditional Use Permit in accordance with the above-mentioned change in zoning classification is hereby authorized subject to the following use limitations and conditions:

- 1) To be used for telephone market research.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development to be made pursuant to any Conditional Use Permit shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

(Signed) Donald R. Vaughan

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The Mayor stated that this was the time and place set for a public hearing to consider an ordinance rezoning from RS-7 Residential Single Family to Conditional Use-General Office Moderate Intensity for property located on the west side of Freeman Mill Road between Lovett Street and Willomore Street.

Mr. Martin used a map to illustrate the property and surrounding area; he provided the following staff presentation:

REQUEST

This request is to rezone property from RS-7 Residential Single Family to Conditional Use – General Office Moderate Intensity.

The RS-7 District is primarily intended to accommodate single family detached dwellings at a density of 5.0 units per acre or less.

The General Office Moderate Intensity District is primarily intended to accommodate moderate intensity office and institutional uses, moderate density residential uses at a density of 12.0 units per acre or less, and supporting service uses.

CONDITIONAL USE CONDITIONS FOR THE REQUESTED ZONING DISTRICT

- 1) All uses permitted in the GO-M District except the following: Tanning Salons, Junked Motor Vehicles, Kennels or Pet Grooming Services, Land Clearing and Inert Debris Landfills, Funeral Homes or Crematoriums.
- 2) Any building on the property shall be a maximum of three (3) stories in height.
- 3) Any building on the property shall be constructed with substantially brick, glass and/or decorative concrete building materials.

- 4) Applicant shall construct and maintain an opaque privacy fence along the lines of any adjoining residentially zoned property to the extent (i.e. height and perimeter) permitted under the applicable Ordinance.
- 5) To the extent possible, Applicant shall preserve any existing perimeter trees to serve as a buffer for adjoining residential properties.
- 6) Any trash containers (i.e. dumpsters) shall be screened.
- 7) Any exterior lighting shall be directed away from adjoining properties.

DESCRIPTION OF THE PROPERTY, SURROUNDING LAND USE AND ZONING

This property consists of approximately 4.2 acres and is located on the west side of Freeman Mill Road between Lovett Street and Willomore Street.

	<u>Zoning</u>	<u>Land Use</u>
Subject Property	RS-7	Single family dwelling
North	RS-7	2 single family dwellings
East	RS-7	2 single family dwellings
South	RS-7 RM-18	Freeman Mill Road Several single family dwellings
West	RS-9	Vacant land & 3 single family dwellings

Mr. Martin stated that the Planning Department recommended denial of the request, and the Zoning Commission had recommended its approval; he thereupon provided slides of the property and surrounding area.

Mayor Holliday asked if anyone wished to be heard.

Marc Isaacson, attorney with offices at 101 West Friendly Avenue and representing the law firm of Lewis, Crumley and Daggett, contract-purchaser of the property, spoke in favor of the rezoning. For illustrative purposes, he distributed and reviewed information related to the rezoning request; i.e., aerial view of the property, photograph of the applicant's office in another city, site plan and elevation renderings, letters of support from adjacent neighbors and pertinent excerpts from the corridor study. Mr. Isaacson stated the law firm wanted to relocate its offices on this property and would provide Class A office space that would have no negative impact on the surrounding neighborhood.

Bob Crumley, residing at 500 West Friendly Avenue and a member of the law firm, spoke to visits with residents and stated they supported the rezoning request. He stated he believed this would provide a good transition into the City.

Jimmy Auman, residing at 2300 Freeman Mill Road, spoke in favor of the rezoning; he advised area neighbors supported the zoning change and believed this would enhance the area.

Mr. Martin presented the following staff recommendation:

The Planning Department recommends that this request be denied. This proposal is contrary to a recommendation contained in the Coliseum Boulevard/Freeman Mill Road Corridor Plan. The plan called for a mixed commercial – professional office – limited retail Integrated Multiple Use Development to be developed at a node on Coliseum Boulevard west of this tract. Several attempts to rezone a portion of that property to CU-HB or CU-GB have been denied in the past, in part based on the fact that they did not adhere to the recommendations for the type of development and extent of area devoted to such a node that were contained in the corridor plan. However, as far as the subject property is concerned, the plan specifically calls for zero tolerance for any further rezoning for

commercial purposes in any direction along Freeman Mill Road and Lovett Street. This recommendation is aimed at preventing a stripping of commercial development in this area. This property is, for the most part, surrounded by single family zoning and single family detached dwellings. Staff feels that approval of this request will create an adverse precedent which will lead to additional commercial and office rezoning proposals and the type of situation which the corridor plan discourages. A better use of this property would be either single family lots or a church site under the existing zoning, or, perhaps, a low density multifamily development such as duplexes or townhouses.

Council briefly discussed various opinions with respect to the rezoning request. A number of Council members expressed support of the rezoning and discussion was held with regard to the role of corridor studies in making zoning decisions. Councilmember Phillips expressed concern that Council's acceptance of the corridor studies were interpreted by citizens as a plan that must be followed while they were only guides and not plans for development. Mayor Holliday expressed concern that this rezoning would set a precedent for future rezoning requests in the area.

After lengthy discussion, Councilmember Vaughan moved that the public hearing be closed. The motion was seconded by Councilmember Carmany and adopted unanimously by voice vote of Council.

Councilmember Burroughs-White thereupon moved that the ordinance rezoning this property to Conditional Use – General Office Moderate Intensity be approved based on the following findings of fact:

- 1) The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety because there are no public health or safety concerns.
- 2) The development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property because the property will be subject to limited uses in the GO-M district and several conditions which are intended to limit the impact of the development.
- 3) The location and character of the development in accordance with the proposed conditions **will** be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City and its environs because an office building on Freeman Mill Road will be a good transitional use between the intersection with Coliseum Boulevard and the residential properties in and around the area on Freeman Mill Road.

The motion was seconded by Councilmember Johnson; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: Holliday.

00-22 AMENDING OFFICIAL ZONING MAP AND AUTHORIZING ISSUANCE OF CONDITIONAL USE PERMIT

WEST SIDE OF FREEMAN MILL ROAD BETWEEN LOVETT STREET AND WILLOMORE STREET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by rezoning from RS-7 Residential Single Family to Conditional Use – General Office Moderate Intensity (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at a point in the intersection of the western right-of-way line of Wilmore Street and the northern right-of-way line of Freeman Mill Road; thence along said northern right-of-way line S51°16'41"W 155.81 feet to a point; thence S51°23'21"W 119.89 feet to a point; thence N36°03'10"W 29.90 feet to a point; thence S51°26'51"W 125.94 feet to a point in the eastern right-of-way line of Lovett Street; thence with said eastern right-of-way line the following five (5) courses and distances: N38°32'03"W 23.38 feet to a point; thence N38°29'02"W 37.32 feet to a point; thence N37°20'29"W 22.61 feet to a point; thence along the curve of Lovett Street a line having a chord bearing of N17°36'28"W and a radius of 520.37 feet, and a distance of 328.85 feet to a point; thence N00°39'35"E

137.26 feet to a point; thence leaving right-of-way line of Lovett Street S89°06'33"E 198.40 feet to a point; thence S86°04'33"E 56.39 feet to a point; thence S67°37'07"E 237.02 feet to a point in the western right-of-way line of Willomore Street; thence with said western right-of-way line S02°03'53"E 192.50 feet to the point and place of BEGINNING, containing 4.2 acres, more or less, all in accordance with a survey of Robert E. Wilson, Inc., RLS, dated July 30, 1993, Job No. 56,074.

Section 2. That the issuance of a Conditional Use Permit in accordance with the above-mentioned change in zoning classification is hereby authorized subject to the following use limitations and conditions:

- 1) All uses permitted in the GO-M District except the following: Tanning Salons, Junked Motor Vehicles, Kennels or Pet Grooming Services, Land Clearing and Inert Debris Landfills, Funeral Homes or Crematoriums.
- 2) Any building on the property shall be a maximum of three (3) stories in height.
- 3) Any building on the property shall be constructed with substantially brick, glass and/or decorative concrete building materials.
- 4) Applicant shall construct and maintain an opaque privacy fence along the lines of any adjoining residentially zoned property to the extent (i.e. height and perimeter) permitted under the applicable Ordinance.
To the extent possible, Applicant shall preserve any existing perimeter trees to serve as a buffer for adjoining residential properties.
- 6) Any trash containers (i.e. dumpsters) shall be screened.
- 7) Any exterior lighting shall be directed away from adjoining properties.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development to be made pursuant to any Conditional Use Permit shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

(Signed) Claudette Burroughs-White

(A copy of information presented with respect to this rezoning request is filed in Exhibit Drawer N, Exhibit Number 4, which is hereby referred to and made a part of these minutes.)

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance rezoning from Conditional Use-RM-5 residential Multifamily to Conditional Use-General Office Moderate Intensity for property located on the east side of Fleming Road north of Old Oak Ridge Road and south of Pinehaven Drive. The Mayor administered the oath to those citizens who wished to speak to this matter.

Mr. Martin provided the following staff presentation:

REQUEST

This request is to rezone property from Conditional Use – RM-5 Residential Multifamily to Conditional Use – General Office Moderate Intensity.

The RM-5 District is primarily intended to accommodate duplexes, townhouses, cluster housing, and similar residential uses at a density of 5.0 units per acre or less.

The General Office Moderate Intensity District is primarily intended to accommodate moderate intensity office and institutional uses, moderate density residential uses at a density of 12.0 units per acre or less, and supporting service uses.

The existing Conditional Use – RM-5 District contains the conditions which are listed in the copy of the staff report:

- 1) Uses: Attached and detached single family residences designed for sale.

CONDITIONAL USE CONDITIONS FOR THE REQUESTED ZONING DISTRICT

- 1) Use shall be limited to a nursing home and/or assisted living facility and accessory uses.
- 2) Any building shall be set back a minimum of 100 feet from Fleming Road.
- 3) A thirty (30) foot wide tree line will be observed to the rear of the property wherein none of the existing trees will be removed, cut back or otherwise destroyed.

DESCRIPTION OF THE PROPERTY, SURROUNDING LAND USE AND ZONING

This property consists of approximately 7.2 acres and is located on the east side of Fleming Road north of Old Oak Ridge Road and south of Pinehaven Drive.

	<u>Zoning</u>	<u>Land Use</u>
Subject Property	CU-RM-5	Vacant land
North	RS-12	7 single family dwellings
East	RS-12	5 single family dwellings
South	RS-12 CU-RM-8	Single family dwelling Children's Friend Learning Center
West	RS-12 RS-15	Vacant land 3 single family dwellings

Mr. Martin stated that the Planning Department and the Zoning Commission had recommended approval of the request; he thereupon presented slides of the property and surrounding area.

Mayor Holliday asked if anyone wished to be heard.

Jim Phillips, PO Box 26000, representing the property owner, spoke in favor of the rezoning to accommodate the relocation of the Blumenthal Jewish Home to Greensboro to provide services to the Jewish community. He spoke briefly to the proposed operation and stated that the facility would be in harmony with the surrounding neighborhood and advised the facility would be governed by the Certificate of Need laws in North Carolina.

Miriam Sharpe, owner of the property and applicant, spoke in favor of the rezoning, detailed her discussions with area neighbors and their support of the rezoning, provided a history of the property and stated the facility would not negatively impact the area.

Mr. Martin provided the following staff recommendation:

The Planning Department recommends that this request be approved. This property is located in what has been, especially in recent years, a very sensitive area in terms of land use changes. A nursing home/assisted living facility is a very low traffic generator and, relatively speaking, is a low key type of land use in terms of daily activity associated with the facility. In fact, the proposed facility would generate far less peak hour and total vehicular trips than if the property was developed under the current zoning. The state employees' credit union is nearby and a day care center is adjacent to this property. Additionally, there are two assisted living facilities in the immediate area. As a result, staff feels that the proposed land use is compatible with existing development in the area and that the

conditions regarding substantial building setback and tree-lined buffer help make this a reasonable proposal as far as adjacent properties are concerned.

Councilmember Vaughan moved that the public hearing be closed. The motion was seconded by Councilmember Burroughs-White and adopted unanimously by voice vote of Council.

Councilmember Johnson moved that the ordinance rezoning this property to Conditional Use – General Office Moderate Intensity be approved based on the following findings of fact:

- 1) The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety because there are no health or safety concerns inherent in the proposed use of the property.
- 2) The development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property because a nursing home/assisted living facility is, in relative terms, a low intensity land use and a significant buffer of existing trees will be provided.
- 3) The location and character of the development in accordance with the proposed conditions will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City and its environs because there are two existing assisted living facilities in this immediate area, in addition to a commercial day care center and a credit union and, for this reason, the proposed land use is compatible with character of the area.

The motion was seconded by Councilmember Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-23 AMENDING OFFICIAL ZONING MAP AND AUTHORIZING ISSUANCE OF CONDITIONAL USE PERMIT

EAST SIDE OF FLEMING ROAD NORTH OF OLD OAK RIDGE ROAD AND SOUTH OF PINEHAVEN DRIVE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by rezoning from Conditional Use – RM-5 Residential Multifamily to Conditional Use – General Office Moderate Intensity (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at a point in the eastern right-of-way line of Fleming Road at the northwest corner of the property of now or formerly Brown Investment Properties and running thence along said eastern right-of-way line N25°08'30"W 204.55 feet to a point at the southwest corner of the property of Guilford College Bible Church, Inc.; thence along the southern line of the property of Guilford College Bible Church, Inc. N68°39'40"E 358.32 feet to a point at the southeast corner of the property of the Guilford College Bible Church, Inc.; thence along the eastern line of the property of the Guilford College Bible Church, Inc. N25°30'10"W 209.86 feet to a point at the southwest corner of the property now or formerly of James Hamilton; thence along the southern line of the property of Hamilton, Hayes, et al. N77°24'E 367.37 feet to a point in the line of Lee; thence continuing along the southern property line of Lee, McDuffey et al. S63°03'30"E 430.67 feet to a point in the western line of Herbert Goodman; thence along the western line of Goodman et al. S40°33'W 397.54 feet to the point at a corner of the property of Mary Ann Hoffman; thence along the line of Hoffman N87°06'W 295.52 feet to a corner with now or formerly Brown Investment Properties; thence along the line of Brown Investment Properties S73°25'50"W 359.84 feet to the point and place of BEGINNING, containing 7.19 acres, more or less.

Section 2. That the issuance of a Conditional Use Permit in accordance with the above-mentioned change in zoning classification is hereby authorized subject to the following use limitations and conditions:

- 1) Use shall be limited to a nursing home and/or assisted living facility and accessory uses.
- 2) Any building shall be set back a minimum of 100 feet from Fleming Road.
- 3) A thirty (30) foot wide tree line will be observed to the rear of the property wherein none of the existing trees will be removed, cut back or otherwise destroyed.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development to be made pursuant to any Conditional Use Permit shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

(Signed) Yvonne J. Johnson

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The Mayor declared a recess at 7:00 p.m.

The meeting re-convened at 7:08 p.m. with all members of Council present.

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Mayor Holliday introduced Ron Chappel, of the Richmond, Indiana Human Relations Office, who was visiting Greensboro to participate in the dedication of a historical marker on West Friendly Avenue in recognition of the efforts of the Quaker community and to memorialize the starting (Greensboro) and ending (Richmond) stations on the Underground Railroad as part of the 40th Anniversary Sit-In activities. The Mayor welcomed Mr. Chappel and his wife to Greensboro and the Council meeting.

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance annexing territory to the corporate limits—located on both sides of U. S. Highway 29, east of Bryan Park, along Reedy Fork Creek-1,612 acres. He thereupon introduced so that these matters could be considered together: an ordinance annexing territory to the corporate limits—located at the western end of Chickasha Drive, east of Bryan park-184.9 acres; and ordinance establishing original zoning classification from County Zoning Agricultural RS-30 Residential Single Family and Shopping Center to City Zoning Conditional use-Planned Unit Development for property located on the east side of U. S. Highway 29 north of Eckerson Road Interchange, northwest of Hines Chapel Road, and west of McLeansville Road and on the wet side of U. S. Highway 29 between Summit Avenue Interchange and Chickasha Drive; and ordinance establishing original zoning classification from County Zoning Light Industrial to City Zoning Conditional Use-Light Industrial for property located at the southwest intersection of Summit Avenue and the southbound entry ramp to U. S. Highway 29; and an ordinance establishing original zoning classification from County Zoning Conditional Use-heavy Industrial to City Zoning Conditional Use-Heavy Industrial for property located on the west side of Kiowa Drive and Shoshone Court east of Norfolk Southern Railroad right of way. The Mayor administer the oath to those individuals who wished to speak to these matters.

Mr. Martin used a map to illustrate the properties and stated that the Planning Department, Planning Board and Zoning Commission had recommended approval of all the ordinances; he thereupon provided the following staff presentations:

REQUEST – ITEM 7

This request is to establish original zoning of property from County Zoning Agricultural, RS-30 Residential Single Family, and Shopping Center to Conditional Use – Planned Unit Development – Mixed.

The Agricultural District is primarily intended to accommodate uses of an agricultural nature including scattered nonfarm dwellings on large tracts of land.

The RS-30 District is primarily intended to accommodate single family detached dwellings at a density of 1.3 units per acre or less.

The Shopping Center Districts is primarily intended to accommodate a wide range of high intensity shopping and service developments meeting the shopping needs of the community and the region.

The CU-PDM District is primarily intended to accommodate residential, commercial, and light industrial uses developed on large tracts in accordance with a Unified Development Plan.

CONDITIONAL USE CONDITIONS FOR THE REQUESTED ZONING DISTRICT

- 1) Uses: All uses permitted in the CU-PDM zone except Manufactured Dwellings; Manufactured Dwelling Parks; Flea Markets, Outdoor; and Sexually Oriented Businesses.
- 2) Section A shall be limited to uses permitted in RS, RM, TND, NB, LB and LO zoning districts. The number of residential units shall not exceed 1050. Areas for business and/or commercial uses shall not exceed 25 acres. This section contains approximately 321 acres.
- 3) Sections B and C shall be limited to: a) uses permitted in RS, RM and TND zoning districts with dwelling units not to exceed 2800; b) a business park containing uses permitted in the CP, HB and LI zoning districts not to exceed 115 acres and 1,200,000 square feet; and c) a Retail Center containing uses permitted in the SC zoning district and not exceeding 32 acres containing not more than 250,000 square feet of retail uses and two hotels. These sections contain approximately 821 acres.
 - a) Development of Sections B and C shall be limited to 800 Residential units and related recreational uses located on Area 1 of Section B until the earlier of the completion of Hwy 29 or other improvements sufficient to provide access to these sections or January 1, 2010.
 - b) A revised Unified Development Plan for Sections B and C shall be submitted for Planning Board approval prior to development of any use not permitted in paragraph a). The locations and shapes of the Sections may change to accommodate roadway improvements; however, the amount of acreage, types of uses and permitted densities may not exceed those provided in this section 3).
- 4) Section D shall be limited to uses permitted in the HB zoning district. This section contains approximately 6 acres.
- 5) Section E shall be limited to uses permitted in the RS, RM, TND, CP and LI zoning districts. The number of residential units shall not exceed 800 and business uses shall not exceed 2,000,000 square feet. This section contains approximately 347 acres.
- 6) The maximum number of residential units permitted on each of the Sections shall be reduced by 4 units for each acre devoted to a use not permitted in the RS, RM or TND zoning districts.
- 7) The maximum building height for Sections A and B shall be 50 feet and the maximum height for Sections C, D and E shall be as provided for the CP zoning district.
- 8) Reference to permitted uses in zoning districts shall mean those uses permitted on the effective date of this zoning unless the owner seeks and the Planning Board approves a use which has been added to the zoning district subsequent to said effective date.
- 9) Common Elements, Recreation Areas and Open Space shall total not less than 400 acres.

DESCRIPTION OF THE PROPERTY, SURROUNDING LAND USE AND ZONING

This property consists of approximately 1,569 acres and is located on the east side of U.S. Highway 29 north of Eckerson Road Interchange, northwest of Hines Chapel Road, and west of McLeansville Road and located on the west side of U.S. Highway 29 between Summit Avenue Interchange and Chickasha Drive.

Zoning

Land Use

Subject Property	AG,RS-30,SC	Mostly vacant land
North	AG CU-HI RS-30	Scattered low density residential & farmland Vacant land & Snively Forest Products Scattered low density residential
East	AG	Low density residential along McLeansville Road
South	AG,RS-30	Scattered low density residential, farmland, and Martin Marietta quarry
West	AG HI PI	Hardy's Mill Pond (part of CU-PDM) Wysong & Miles Corp., Morrisette Paper Packaging, Proctor & Gamble, vacant land & Norfolk-Southern Railroad right-of-way Bryan Park

REQUEST – ITEM 8

This request is to establish original zoning of property from County Zoning Light Industrial to City Zoning Conditional Use – Light Industrial.

The Light Industrial District is primarily intended to accommodate limited manufacturing, wholesaling, warehousing, research and development, and related commercial/service activities.

CONDITIONAL USE CONDITIONS FOR THE REQUESTED ZONING DISTRICT

- 1) Uses: All uses permitted in the LI zone.
- 2) The application rate for canopy trees in Street Yards shall be twice the rate specified in Table 30-5-4-2 (supp. No. 16).

DESCRIPTION OF THE PROPERTY, SURROUNDING LAND USE AND ZONING

This property consists of approximately 43.1 acres and is located at the southwest intersection of Summit Avenue and the Southbound Entry Ramp to U.S. Highway 29.

	<u>Zoning</u>	<u>Land Use</u>
Subject Property	LI	Vacant
North	HI	Morrisette Paper Packaging
East	SC HI	Interchange Wysong & Miles Machine Tools
South	PI	NC Central School for the Deaf
West	LI	Dixie Sales Company

REQUEST – ITEM 9

This request is to establish original zoning of property from County Zoning Conditional Use – Heavy Industrial to City Zoning Conditional Use – Heavy Industrial.

The Heavy Industrial District is primarily intended to accommodate a wide range of assembling, fabricating, and manufacturing activities.

The existing County Conditional Use – Heavy Industrial District contains the conditions which are listed on the agenda and in the copy of the staff report.

- 1) Uses: All uses permitted in the HI zoning classification.
- 2) Determination of wetlands by survey and U.S. Army Corp of Engineers. Such wetlands to be dedicated to the City of Greensboro. The owner reserves the right to access properties across wetlands as needed by road or rail.

CONDITIONAL USE CONDITIONS FOR THE REQUESTED ZONING DISTRICT

- 1) Uses: All uses permitted in the HI zone except Correctional Institutions, Fuel Oil Sales, Manufactured Home Sales, and any use requiring issuance of a Special Use Permit.

DESCRIPTION OF THE PROPERTY, SURROUNDING LAND USE AND ZONING

This property consists of approximately 185 acres and is located on the west side of Kiowa Drive and Shoshone Court east of Norfolk Southern Railroad right-of-way.

	<u>Zoning</u>	<u>Land Use</u>
Subject Property	CU-HI	Vacant
North	AG	Farm land
East	CU-HI	Vacant industrial lots
South	AG	Section E of proposed CU-PDM
West	RS-40 & PI	Portion of Bryan Park & watershed area

Mr. Martin reiterated that the Planning Department and Zoning Commission recommended approval of these requests; he thereupon presented slides of the area and surrounding property.

Mayor Holliday asked if anyone wished to speak to these ordinances.

Charlie Melvin, attorney with offices at 300 North Greene Street and representing Starmount Company and Penston Corporation, stated these companies had contracts to purchase the large area of property proposed for annexation; he spoke to the process used by these companies to acquire the property. Using a map to illustrate the location of the property, he spoke to the current ownership of the properties, detailed services and businesses available in the area, provided historical information about the Reedy Fork property, spoke to the need for balanced growth in the City, and noted Council had expressed a desire to promote economic development in this area. He stated that because of the unique characteristics and potential for this property, comprehensive planning and firms with experience would be needed to bring this project to fruition.

Ron Wilson, representing Starmount Company with offices at 600 Green Valley Road, reviewed the various zoning requests and detailed the concepts for development of this property. He noted the developers had a unique opportunity for planned growth in the northeast area and the responsibility to provide comprehensive planning for the development of this property. Mr. Wilson commended City staff for their professionalism in working to assist the developers and stated this plan would bring growth to an area already supported by infrastructure. He described the proposed mixed use development to be completed in stages using a unified development plan, stated that approximately 500 acres of property would be designated as open space, reiterated the commitment of Starmount Company and its partners in making this significant undertaking a success, spoke to the protection that would be provided for surrounding properties, and also spoke to the financial benefits this proposed development would provide for the City. Mr. Wilson described the initial entry proposed for this development and the potential for additional access as needed; he also advised that if this property were annexed and zoned as requested, the landfill permit requested for the Griffin property would be terminated and other requests prohibited.

Laura Smith, residing at 8157 Brand Road, spoke in opposition to the annexations and zonings for this property located in northeast Guilford County. She expressed her thoughts about the proposed development and Greensboro's water situation and voiced her concern with the negative impact this large development would have on area farms and wildlife.

Sandra Smith, residing at 7002 McLeansville Road, Brown Summit; expressed concerns with respect to the proposed development, offered suggestions with regard to the proposed housing development, and urged that a substantial buffer be placed between the development and her property to ensure her property rights were protected and that the current quality of life was maintained.

Fred Smith, residing at 5278 Turner Smith Road, McLeansville; spoke in opposition to the proposed annexations and zonings for this property. He expressed concern with the need for orderly development, the inadequate access to the property, and stated he did not want taxpayer moneys to address access and rainwater runoff problems generated by this development.

Council discussed individual thoughts with respect to the development; i.e., the proximity to the City limits conformed with the Council's annexation policy, the desire for a cooperative relationship between the developers and area residents, the desire for adequate buffers for adjacent property owners, and appreciation for this much-needed development in Northeast Greensboro.

Mr. Martin provided the following staff recommendations:

Item 7 – Reedy Fork Ranch CU-PDM

The Planning Department recommends that this original zoning be approved. This property adjoins the present city limits on its west side, at the railroad tracks at the eastern side of Bryan Park. A major City water line runs up Summit Avenue to just west of the highway interchange where it connects to another major water line running across US 29 and down Eckerson Road. A sewer outfall line runs along Reedy Fork Creek through most of the property. These utility lines can be extended to serve all of the property, although sewer service to the easternmost part will require relocation of the Reedy Fork Lift Station eastward. The property is eligible for City water and sewer services under the Council policy of April 20, 1999 but it is not eligible to connect any water main extensions until water is flowing to Greensboro. The water line from Reidsville runs through the westernmost part of this property. The Greensboro Planning Board has recommended the annexation of this property to the City Council.

Development of this large a property would encourage annexation and development of other properties between it and the city limit line. Redirecting development patterns to produce a substantial increase in activity on the east side of the City is a major land use goal. Since this property is not in a designated water supply watershed, this meets another important goal by encouraging growth in non-watershed locations. Development here will increase the economic attractiveness of the U.S. Highway 29 corridor, a goal of both Greensboro and Reidsville.

The proposed original zoning, Conditional Use – Planned Unit Development – Mixed, was adopted as part of the Unified Development Ordinance exactly for situations like this, i.e. large tracts of land where encouragement in diversification of uses through cohesive, unified projects was intended. Such a zoning classification allows variation in the relationship of residential and nonresidential uses, reduces travel time by providing opportunities for employment and services closer to residential development, and encourages innovation by offering flexibility in design and layout requirements to achieve a greater choice of living and working environments. Staff recommends that this original zoning proposal be approved for all these reasons.

Item 8 – Reedy Fork Ranch CU-LI

The Planning Department recommends that this original zoning be approved. This property is presently zoned Light Industrial by Guilford County. The proposed zoning simply reflects the County Zoning but with a condition that adds additional canopy trees in the street planting yards. Furthermore, the properties which are adjacent to this tract are zoned either Light or Heavy Industrial. Thus, this proposal is compatible with the surrounding zoning and development pattern for this area.

Item 9 – Reedy Fork Ranch CU-HI

The Planning Department recommends that this original zoning request be approved. This property is presently zoned CU-HI by Guilford County. The proposed zoning carries forth this same zoning but some key use limitations have been added which would prohibit correctional institutions, fuel oil sales, manufactured home sales, and any use which would require a Special Use Permit, including such uses as asphalt plants, mining and quarrying, petroleum and related products production, and salvage yards. Given the fact that the current County Zoning would allow all uses permitted in HI, staff feels that this offers a better classification of this property.

Councilmember Phillips moved that the public hearing be closed for these annexation and zoning items. The motion was seconded by Councilmember Vaughan and adopted unanimously by voice vote of Council.

Councilmember Johnson thereupon moved adoption of the ordinance annexing territory to the corporate limits—located on both sides of U. S. Highway 29, east of Bryan Park, along Reedy Fork Creek-1,612 acres. The motion was seconded by Councilmember Phillips; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-24 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED ON BOTH SIDES OF U.S. HIGHWAY 29, EAST OF BRYAN PARK, ALONG REEDY FORK CREEK – 1,612 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING AT A POINT (SAID POINT BEING IN THE WESTERN 50 FOOT RIGHT-OF-WAY FOR SUMMIT AVENUE, ALSO BEING THE EASTERN MOST CORNER FOR LOT 1 ALONG SAID RIGHT-OF-WAY AS RECORDED IN PLAT BOOK 102 PAGE 145); THENCE WITH THE EASTERN PROPERTY LINE OF SAID LOT, N 65 DEG 33 MIN 05 SEC W, DISTANCE BEING 309.86 FEET TO A POINT; THENCE S 42 DEG 18 MIN 27 SEC W, DISTANCE BEING 193.04 FEET; THENCE S 15 DEG 45 MIN 29 SEC W, DISTANCE BEING 66.17 FEET TO A POINT; THENCE S 57 DEG 17 MIN 24 SEC W, DISTANCE BEING 293.16 FEET TO A POINT; THENCE S 39 DEG 19 MIN 19 SEC W, DISTANCE BEING 93.25 FEET TO A POINT; THENCE S 68 DEG 46 MIN 54 SEC W, DISTANCE BEING 92.80 FEET TO THE NORTHERN MOST CONTROL CORNER AS SHOWN ON PLAT BOOK 64 PAGE 11; THENCE S 76 DEG 17 MIN 10 SEC W, DISTANCE BEING 94.11 FEET TO A POINT; THENCE S 63 DEG 53 MIN 10 SEC W, DISTANCE BEING 135.60 FEET TO A POINT; THENCE WITH THE NORTHERN LINE OF GREENTREE INCORPORATED AS RECORDED IN DEED BOOK 4096 PAGE 1, S 89 DEG 36 MIN 38 SEC W, DISTANCE BEING 54.32 FEET; THENCE S 71 DEG 30 MIN 59 SEC W, DISTANCE BEING 84.82 FEET; THENCE N 84 DEG 23 MIN 45 SEC W, DISTANCE BEING 107.43 FEET; THENCE N 40 DEG 37 MIN 17 SEC W, DISTANCE BEING 109.50 FEET; THENCE N 13 DEG 08 MIN 27 SEC W, DISTANCE BEING 177.54 FEET; THENCE N 33 DEG 41 MIN 52 SEC W, DISTANCE BEING 98.64 FEET; THENCE N 54 DEG 20 MIN 53 SEC W, DISTANCE BEING 255.70 FEET; THENCE N 35 DEG 49 MIN 55 SEC W, DISTANCE BEING 149.91 FEET; THENCE N 37 DEG 58 MIN 10 SEC E, DISTANCE BEING 59.94 FEET; THENCE N 48 DEG 44 MIN 52 SEC W, DISTANCE BEING 145.04 FEET;

THENCE N 85 DEG 13 MIN 55 SEC W, DISTANCE BEING 180.40 FEET; THENCE N 29 DEG 25 MIN 42 SEC W, DISTANCE BEING 68.00 FEET; THENCE N 51 DEG 45 MIN 04 SEC W, DISTANCE BEING 51.73 FEET; THENCE N 73 DEG 53 MIN 46 SEC W, DISTANCE BEING 117.38 FEET; THENCE N 45 DEG 30 MIN 10 SEC W, DISTANCE BEING 75.35 FEET; THENCE N 18 DEG 23 MIN 04 SEC W, DISTANCE BEING 129.38 FEET; THENCE N 25 DEG 22 MIN 20 SEC W, DISTANCE BEING 88.58 FEET; THENCE N 03 DEG 20 MIN 42 SEC E, DISTANCE BEING 103.58 FEET; THENCE N 33 DEG 59 MIN 58 SEC W, DISTANCE BEING 68.22 FEET TO A POINT IN THE NORTHERN MOST CORNER TO GREENTREE INCORPORATED; THENCE WITH AN EASTERN LINE OF PROCTER AND GAMBLE AS RECORDED IN DEED BOOK 3010 PAGE 943, N 30 DEG 12 MIN 23 SEC W, DISTANCE BEING 203.24 FEET TO A POINT; THENCE N 33 DEG 28 MIN 05 SEC W, DISTANCE BEING 136.66 FEET; THENCE N 02 DEG 09 MIN 13 SEC E, DISTANCE BEING 330.72 FEET; THENCE N 64 DEG 02 MIN 39 SEC W, DISTANCE BEING 265.57 FEET; THENCE S 85 DEG 49 MIN 55 SEC W, DISTANCE BEING 203.92 FEET; THENCE N 85 DEG 11 MIN 48 SEC W, DISTANCE BEING 178.30 FEET; THENCE N 22 DEG 39 MIN 25 SEC W, DISTANCE BEING 192.85 FEET; THENCE N 05 DEG 57 MIN 48 SEC W, DISTANCE BEING 195.08 FEET; THENCE N 13 DEG 39 MIN 41 SEC E, DISTANCE BEING 169.89 FEET; THENCE N 54 DEG 06 MIN 10 SEC E, DISTANCE BEING 273.85 FEET; THENCE N 59 DEG 39 MIN 10 SEC E, DISTANCE BEING 148.36 FEET; THENCE N 54 DEG 15 MIN 44 SEC W, DISTANCE BEING 198.39 FEET; THENCE N 81 DEG 28 MIN 57 SEC W, DISTANCE BEING 157.50 FEET; THENCE N 05 DEG 31 MIN 16 SEC E, DISTANCE BEING 133.30 FEET; THENCE N 46 DEG 24 MIN 52 SEC W, DISTANCE BEING 214.56 FEET; THENCE N 46 DEG 13 MIN 49 SEC W, DISTANCE BEING 283.48 FEET; THENCE N 24 DEG 27 MIN 55 SEC W, DISTANCE BEING 177.24 FEET; THENCE N 41 DEG 52 MIN 17 SEC W, DISTANCE BEING 216.25 FEET; THENCE N 27 DEG 27 MIN 51 SEC W, DISTANCE BEING 236.76 FEET; THENCE N 36 DEG 01 MIN 20 SEC W, DISTANCE BEING 172.72 FEET; THENCE N 30 DEG 18 MIN 21 SEC W, DISTANCE BEING 122.34 FEET; THENCE N 04 DEG 55 MIN 50 SEC W, DISTANCE BEING 184.29 FEET; THENCE S 82 DEG 01 MIN 10 SEC W, DISTANCE BEING 142.62 FEET; THENCE N 18 DEG 54 MIN 50 SEC W, DISTANCE BEING 105.24 FEET; THENCE N 84 DEG 10 MIN 50 SEC W, DISTANCE BEING 174.72 FEET TO THE CENTERLINE OF NORFOLK SOUTHERN RAILROAD, SAID POINT ALSO BEING ON THE CITY LIMIT LINE; THENCE WITH THE CENTERLINE OF NORFOLK SOUTHERN RAILROAD AND THE CITY LIMIT LINE, N 04 DEG 59 MIN 03 SEC E, DISTANCE BEING 577.41 FEET TO THE SOUTHWESTERN CORNER OF DAVID H. GRIFFIN PROPERTY AS RECORDED IN DEED BOOK 4805 PAGE 822; THENCE DEPARTING FROM THE CITY LIMIT LINE AND RUNNING WITH DAVID H. GRIFFIN SOUTH LINE, S 59 DEG 09 MIN 49 SEC E, DISTANCE BEING 191.86 FEET; THENCE S 43 DEG 08 MIN 52 SEC E, DISTANCE BEING 185.18 FEET; THENCE S 50 DEG 38 MIN 05 SEC E, DISTANCE BEING 154.28 FEET; THENCE S 84 DEG 57 MIN 04 SEC E, DISTANCE BEING 126.94 FEET; THENCE S 33 DEG 54 MIN 07 SEC E, DISTANCE BEING 80.79 FEET; THENCE S 55 DEG 24 MIN 22 SEC E, DISTANCE BEING 1632.96 FEET; THENCE S 23 DEG 48 MIN 54 SEC E, DISTANCE BEING 237.05 FEET; THENCE N 65 DEG 33 MIN 01 SEC E, DISTANCE BEING 1160.07 FEET; THENCE N 11 DEG 09 MIN 20 SEC W, DISTANCE BEING 725.84 FEET TO A STONE CONTROL CORNER AS RECORDED IN PLAT BOOK 103 PAGE 83; THENCE WITH THE SOUTH LINE OF BROWN SUMMIT INDUSTRIAL PARK, S 89 DEG 08 MIN 46 SEC E, DISTANCE BEING 529.62 FEET; THENCE S 89 DEG 08 MIN 46 SEC E, DISTANCE BEING 2137.70 FEET TO A POINT ON THE EASTERN 60 FOOT RIGHT-OF-WAY FOR SUMMIT AVENUE AND BEING IN A NORTH LINE OF ALFRED L. COLTRANE AS RECORDED IN DEED BOOK 1442 PAGE 281; THENCE WITH A WESTERN LINE OF ALFRED L. COLTRANE AND THE EASTERN 60 FOOT RIGHT-OF-WAY FOR SUMMIT AVENUE, S 02 DEG 02 MIN 29 SEC E, DISTANCE BEING 101.85 FEET; THENCE WITH THE EASTERN MARGIN OF SUMMIT AVENUE, S 12 DEG 17 MIN 02 SEC E, DISTANCE BEING 775.88 FEET TO THE SOUTHWEST CORNER TO ROBERT L. GUFFEY AS RECORDED IN DEED BOOK 2736 PAGE 27; THENCE WITH ROBERT L. GUFFEY SOUTH LINE, S 86 DEG 45 MIN 42 SEC E, DISTANCE BEING 147.05 FEET; THENCE ALONG THE EAST LINE OF ROBERT L. GUFFEY, N 14 DEG 05 MIN 25 SEC E, DISTANCE BEING 203.64 FEET TO THE NORTH -EASTERN CORNER OF VIRGINIA T. POWELL AS RECORDED IN DEED BOOK 1388 PAGE 310; THENCE ALONG THE EAST LINE OF WYTELL I. SMITH AS RECORDED IN DEED BOOK 1159 PAGE 324, N 00 DEG 54 MIN 50 SEC W, DISTANCE BEING 271.00 FEET TO THE SOUTHEASTERN CORNER OF ALFRED L. COLTRANE; THENCE WITH THE EASTERN LINE OF ALFRED L. COLTRANE, N 08 DEG 52 MIN 01 SEC W, DISTANCE BEING 400.06 FEET TO A POINT IN THE SOUTH LINE OF ANNIE H. BURTON HEIRS AS RECORDED IN DEED BOOK 1122 PAGE 174; THENCE WITH THE SOUTH LINE OF ANNIE H. BURTON HEIRS, S 89 DEG 08 MIN 46 SEC E, DISTANCE BEING 545.75 FEET TO A POINT ON THE WESTERN 250 FOOT RIGHT-OF-WAY FOR U. S. HIGHWAY 29; THENCE CROSSING SAID 250 FOOT RIGHT-OF-WAY FOR U. S. HIGHWAY 29, S 89 DEG

08 MIN 46 SEC E, DISTANCE BEING 278.37 FEET TO A POINT ON THE EASTERN 250 FOOT RIGHT-OF-WAY FOR U. S. HIGHWAY 29; THENCE WITH THE SOUTHERN LINE TO WILLIAM F. BURTON AS RECORDED IN DEED BOOK 1305 PAGE 451, S 89 DEG 08 MIN 46 SEC E, DISTANCE BEING 2569.73 FEET TO THE SOUTHEAST CORNER OF WILLIAM F. BURTON; THENCE WITH THE EAST LINE OF WILLIAM F. BURTON, N 00 DEG 54 MIN 50 SEC E, DISTANCE BEING 287.50 FEET; THENCE WITH A LINE TO HERBERT W. BURTON, N 03 DEG 24 MIN 50 SEC E, DISTANCE BEING 1355.83 FEET TO THE NORTHEASTERN CORNER OF WILLIAM G. RUDD AS RECORDED IN DEED BOOK 2843 PAGE 848; THENCE WITH THE LINE OF HERBERT W. KENNEDY AS RECORDED IN DEED BOOK 4224 PAGE 326, N 54 DEG 37 MIN 39 SEC E, DISTANCE BEING 1074.81 FEET TO THE EASTERN MOST CORNER OF HERBERT W. KENNEDY ALSO BEING THE WESTERN MOST CORNER TO JAMES D. SMITH; THENCE ALONG THE WESTERN LINE OF JAMES D. SMITH, S 17 DEG 15 MIN 26 SEC E, DISTANCE BEING 2059.91 FEET; THENCE WITH JAMES D. SMITH, S 64 DEG 56 MIN 44 SEC E, DISTANCE BEING 223.25 FEET TO A POINT; THENCE WITH JAMES D. SMITH, S 48 DEG 24 MIN 14 SEC E, DISTANCE BEING 469.20 FEET; THENCE N 44 DEG 35 MIN 30 SEC E, DISTANCE BEING 731.03 FEET; THENCE WITH JAMES D. SMITH, S 00 DEG 48 MIN 40 SEC W, DISTANCE BEING 783.30 FEET; THENCE WITH THE LINE OF JAMES D. SMITH AND PATRICIA S. BUSICK, S 04 DEG 52 MIN 28 SEC W, DISTANCE BEING 986.80 FEET TO THE SOUTHWEST CORNER OF PATRICIA S. BUSICK AS RECORDED IN DEED BOOK 3045 PAGE 710; THENCE ALONG THE SOUTHERN LINE OF PATRICIA S. BUSICK, S 85 DEG 35 MIN 27 SEC E, DISTANCE BEING 1179.94 FEET TO THE NORTHWESTERN CORNER OF DENNIS L. ROBERTSON AS RECORDED IN DEED BOOK 3340 PAGE 207; THENCE WITH DENNIS L. ROBERTSON, S 35 DEG 39 MIN 36 SEC E, DISTANCE BEING 735.84 FEET TO THE SOUTHERN MOST CORNER TO DENNIS L. ROBERTSON AS RECORDED IN DEED BOOK 2897 PAGE 669, ALSO BEING IN THE WESTERN 60 FOOT RIGHT-OF-WAY FOR McLEANSVILLE ROAD; THENCE WITH THE WESTERN 60 FOOT RIGHT-OF-WAY FOR McLEANSVILLE ROAD, S 08 DEG 41 MIN 41 SEC E, DISTANCE BEING 1004.45 FEET TO THE NORTHEAST CORNER OF TIMOTHY T. MERICKA AS RECORDED IN DEED BOOK 3984 PAGE 951; THENCE WITH THE NORTH LINE OF TIMOTHY T. MERICKA, S 81 DEG 30 MIN 40 SEC W, DISTANCE BEING 1049.92 FEET; THENCE S 33 DEG 43 MIN 25 SEC W, DISTANCE BEING 61.19 FEET TO THE CENTERLINE OF REEDY FORK CREEK ALSO BEING IN THE NORTH LINE OF SOUTH JEFFERSON, INC.; THENCE WITH THE CENTERLINE OF REEDY FORK CREEK AND THE NORTH LINE OF SOUTH JEFFERSON, INC. AS RECORDED IN DEED BOOK 1940 PAGE 686, N 75 DEG 04 MIN 01 SEC W, DISTANCE BEING 71.46 FEET; THENCE N 89 DEG 52 MIN 27 SEC W, DISTANCE BEING 351.45 FEET; THENCE S 79 DEG 25 MIN 00 SEC W, DISTANCE BEING 180.52 FEET; THENCE S 50 DEG 56 MIN 24 SEC W, DISTANCE BEING 75.87 FEET; THENCE S 29 DEG 59 MIN 12 SEC W, DISTANCE BEING 341.22 FEET; THENCE S 37 DEG 53 MIN 22 SEC W, DISTANCE BEING 449.42 FEET; THENCE S 67 DEG 26 MIN 12 SEC W, DISTANCE BEING 101.51 FEET; THENCE N 89 DEG 46 MIN 32 SEC W, DISTANCE BEING 469.20 FEET TO A POINT IN THE CENTERLINE OF REEDY FORK CREEK, ALSO SAID POINT BEING THE NORTHWEST CORNER OF SOUTH JEFFERSON, INC; THENCE WITH THE WESTERN LINE OF SOUTH JEFFERSON, INC. AND LEAVING THE CENTER OF REEDY FORK CREEK, S 05 DEG 01 MIN 08 SEC W, DISTANCE BEING 1449.18 FEET TO A POINT IN THE WEST LINE OF DAN HOLDER AS RECORDED IN DEED BOOK 2083 PAGE 504, ALSO BEING THE NORTHEAST CORNER TO LAWRENCE E. TURNER AS RECORDED IN DEED BOOK 4433 PAGE 1815; THENCE WITH THE NORTH LINE OF LAWRENCE E. TURNER, N 88 DEG 57 MIN 34 SEC W, DISTANCE BEING 436.87 FEET; THENCE S 03 DEG 06 MIN 25 SEC W, DISTANCE BEING 436.47 FEET; THENCE N 88 DEG 56 MIN 20 SEC W, DISTANCE BEING 1082.26 FEET TO THE NORTHWESTERN CORNER TO LAWRENCE E. TURNER ALSO BEING THE NORTHERN CORNER OF MARTIN MARIETTA MATERIALS, INC. AS RECORDED IN DEED BOOK 4166 PAGE 1160; THENCE WITH THE NORTHERN LINE OF MARTIN MARIETTA MATERIALS, INC., S 46 DEG 07 MIN 42 SEC W, DISTANCE BEING 2392.06 FEET; THENCE S 87 DEG 26 MIN 10 SEC W, DISTANCE BEING 1762.93 FEET; THENCE S 75 DEG 13 MIN 29 SEC W, DISTANCE BEING 2073.26 FEET TO A POINT ON THE WESTERN RIGHT-OF-WAY FOR ECKERSON ROAD, SAID POINT ALSO BEING IN AN EASTERN LINE OF WYSONG AND MILES CORPORATION AS RECORDED IN PLAT BOOK 115 PAGE 18; THENCE WITH THE WESTERN MARGIN OF ECKERSON ROAD AND THE EASTERN LINE OF WYSONG AND MILES CORPORATION, N 11 DEG 20 MIN 41 SEC E, DISTANCE BEING 1217.10 FEET; THENCE N 80 DEG 39 MIN 47 SEC W, DISTANCE BEING 27.97 FEET TO A POINT IN THE WESTERN 100 FOOT RIGHT-OF-WAY FOR ECKERSON ROAD; THENCE WITH THE SAID 100 FOOT RIGHT-OF-WAY FOR ECKERSON ROAD, N 10 DEG 27 MIN 35 SEC E, DISTANCE BEING 910.65 FEET; THENCE N 50 DEG 21 MIN 32 SEC W, DISTANCE BEING 37.83 FEET TO A POINT, SAID POINT BEING THE NORTHERN

MOST CORNER TO WYSONG AND MILES CORPORATION AS RECORDED IN PLAT BOOK 115 PAGE 18; THENCE WITH THE WESTERN LINE OF WYSONG AND MILES CORPORATION AND THE EASTERN RIGHT-OF-WAY FOR U. S. HIGHWAY 29, BEING A CURVE TO THE LEFT, A CHORD BEARING OF S 51 DEG 05 MIN 34 SEC W, CHORD DISTANCE BEING 925.37 FEET AND HAVING A RADIUS OF 954.93 FEET, TO A POINT IN THE EASTERN 250 FOOT RIGHT-OF-WAY FOR U. S. HIGHWAY 29; THENCE WITH THE EASTERN MARGIN OF SAID HIGHWAY, S 28 DEG 57 MIN 31 SEC W, DISTANCE BEING 1201.47 FEET; THENCE CROSSING SAID U. S. HIGHWAY 29, N 56 DEG 17 MIN 12 SEC W, DISTANCE BEING 274.46 FEET TO THE WESTERN 250 FOOT RIGHT-OF-WAY FOR U. S. HIGHWAY 29, SAID POINT ALSO BEING THE NORTHEASTERN CORNER FOR THE STATE OF NORTH CAROLINA (OR KNOWN AS THE SCHOOL FOR THE DEAF) AS RECORDED IN DEED BOOK 2662 PAGE 159; THENCE WITH THE NORTH LINE OF THE STATE OF NORTH CAROLINA AS RECORDED IN DEED BOOK 2662 PAGE 159, N 56 DEG 17 MIN 12 SEC W, DISTANCE BEING 1026.29 FEET TO A POINT IN THE SOUTH LINE OF R AND J PROPERTIES OF GREENSBORO AS RECORDED IN DEED BOOK 4244 PAGE 1593; THENCE WITH SAID R AND J PROPERTIES OF GREENSBORO, N 60 DEG 00 MIN 00 SEC E, DISTANCE BEING 68.00 FEET; THENCE N 08 DEG 53 MIN 41 SEC W, DISTANCE BEING 778.68 FEET TO THE NORTHERN RIGHT-OF-WAY FOR SUMMIT AVENUE; THENCE WITH THE NORTHERN MARGIN OF SUMMIT AVENUE, S 89 DEG 17 MIN 00 SEC E, DISTANCE BEING 77.63 FEET; THENCE WITH A CURVE TO THE LEFT, A CHORD BEARING OF N 81 DEG 51 MIN 30 SEC E, CHORD DISTANCE OF 283.10 FEET AND HAVING A RADIUS OF 919.20 FEET, TO THE SOUTHEASTERN CORNER OF PROCTER AND GAMBLE AS RECORDED IN DEED BOOK 3010 PAGE 943, SAID POINT ALSO BEING THE SOUTHWEST CORNER TO GREENTREE, INC.; THENCE WITH THE SOUTH LINE OF GREENTREE, INC. AND THE WESTERN MARGIN OF SUMMIT AVENUE, N 68 DEG 05 MIN 07 SEC E, DISTANCE BEING 90.93 FEET; THENCE N 65 DEG 13 MIN 08 SEC E, DISTANCE BEING 268.38 FEET; THENCE N 24 DEG 47 MIN 27 SEC W, DISTANCE BEING 20.00 FEET TO A POINT IN THE WESTERN 100 FOOT RIGHT-OF-WAY FOR SUMMIT AVENUE; THENCE ALONG THE WESTERN MARGIN OF SUMMIT AVENUE, N 65 DEG 13 MIN 09 SEC E, DISTANCE BEING 310.58 FEET; THENCE WITH A CURVE TO THE LEFT, A CHORD BEARING OF N 56 DEG 34 MIN 40 SEC E, CHORD DISTANCE BEING 514.19 FEET AND HAVING A RADIUS OF 1743.61 FEET; THENCE N 47 DEG 56 MIN 10 SEC E, DISTANCE BEING 709.41 FEET TO A POINT, SAID POINT BEING THE SOUTHERN MOST CORNER TO SUSAN McCANLESS AS RECORDED IN DEED BOOK 4771 PAGE 1639; THENCE N 48 DEG 15 MIN 52 SEC E, DISTANCE BEING 59.96 FEET; THENCE WITH THE WESTERN MARGIN OF SUMMIT AVENUE, N 47 DEG 56 MIN 10 SEC E, DISTANCE BEING 425.26 FEET; THENCE N 50 DEG 23 MIN 07 SEC E, DISTANCE BEING 101.36 FEET; THENCE N 44 DEG 54 MIN 15 SEC E, DISTANCE BEING 98.22 FEET, THENCE N 41 DEG 38 MIN 44 SEC E, DISTANCE BEING 97.37 FEET; THENCE N 37 DEG 17 MIN 04 SEC E, DISTANCE BEING 97.15 FEET; THENCE N 33 DEG 25 MIN 03 SEC E, DISTANCE BEING 97.47 FEET; THENCE N 29 DEG 56 MIN 56 SEC E, DISTANCE BEING 98.14 FEET; THENCE N 28 DEG 00 MIN 30 SEC E, DISTANCE BEING 98.98 FEET; THENCE N 22 DEG 02 MIN 36 SEC E, DISTANCE BEING 77.90 FEET TO THE POINT AND PLACE OF BEGINNING CONTAINING 1620.5 ACRES. SAVE AND EXCEPT THAT 8.5 ACRE TRACT FRONTING THE WESTERN 250 FOOT RIGHT-OF-WAY FOR U. S. HIGHWAY 29 AND BEING 125 FEET NORTH OF REEDY FORK CREEK BEING SHOWN AS TAX MAP ACL-4-195-443-11 BEING THE PROPERTY OF WILLIAM A. MERICKA AND WIFE MARY J. MERICKA AS RECORDED IN DEED BOOK 2801 PAGE 885 DATED FEBRUARY 9, 1976 AND BEING THE SAME TRACT CONVEYED FROM REEDY FORK RANCH TO WILLIAM J. MERICKA RECORDED IN DEED BOOK 1467 PAGE 52 DATED NOVEMBER 24, 1952.

Section 2. The owner agrees to pay to the City of Greensboro acreage fees according to the following schedule:

PHASE	SECTION	ACREAGE	PAYABLE	NOT LATER THAN
1	A	321	Upon Annexation	N/A
	LI parcel	30	Upon Annexation	N/A
Total Phase 1		351		
2	E	347	Upon Initiation	5 Years
Total Phase 2		347		

3	B	639	Upon Initiation	10 Years
	C	120	Upon Initiation	10 Years
	D	62	Upon Initiation	10 Years

Total Phase 3 821

Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after April 30, 2000, the liability for municipal taxes for the 1999-2000 fiscal year shall be prorated on the basis of 2/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2000. Municipal ad valorem taxes for the 2000-2001 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after April 30, 2000.

(Signed) Yvonne J. Johnson

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Councilmember Burroughs-White moved adoption of the ordinance annexing territory to the corporate limits—located at the western end of Chickasha Drive, east of Bryan Park-184.9 acres. The motion was seconded by Councilmember Johnson; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-25 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT THE WESTERN END OF CHICKASHA DRIVE, EAST OF BRYAN PARK – 184.9 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING AT A STONE CONTROL CORNER (SAID STONE CONTROL CORNER BEING THE SOUTHWEST STONE CONTROL CORNER RECORDED IN PLAT BOOK 103 PAGE 83 ALSO BEING A CORNER TO REEDY FORK RANCH AS RECORDED IN DEED BOOK 2369 PAGE 454 AND DESCRIBED IN DEED BOOK 298 PAGE 513); THENCE S 11 DEG 09 MIN 20 SEC E, DISTANCE BEING 725.84 FEET; THENCE S 65 DEG 33 MIN 01 SEC W, DISTANCE BEING 1160.07 FEET; THENCE N 23 DEG 48 MIN 54 SEC W, DISTANCE BEING 237.05 FEET; THENCE N 55 DEG 24 MIN 22 SEC W, DISTANCE BEING 1632.96 FEET; THENCE N 33 DEG 54 MIN 07 SEC W, DISTANCE BEING 80.79 FEET; THENCE N 84 DEG 57 MIN 04 SEC W, DISTANCE BEING 126.94 FEET; THENCE N 50 DEG 38 MIN 05 SEC W, DISTANCE BEING 154.28 FEET; THENCE N 43 DEG 08 MIN 52 SEC W, DISTANCE BEING 185.18 FEET; THENCE N 59 DEG 09 MIN 49 SEC W, DISTANCE BEING 191.86 FEET TO THE CENTERLINE OF NORFOLK SOUTHERN RAILROAD, SAID POINT ALSO BEING ON THE CITY LIMIT LINE; THENCE WITH THE CENTERLINE OF NORFOLK SOUTHERN RAILROAD AND THE CITY LIMIT LINE, N 06 DEG 05 MIN 20 SEC E, DISTANCE BEING 1731.05 FEET TO A POINT IN THE CENTERLINE OF NORFOLK SOUTHERN RAILROAD, SAID POINT ALSO BEING A SOUTHWESTERN CORNER OF ALLER C. FAUCETT AS RECORDED IN DEED BOOK 2646 PAGE 655;

THENCE DEPARTING FROM THE CITY LIMIT LINE AND RUNNING WITH THE SOUTHERN LINE OF ALLER C. FAUCETT S 86 DEG 30 MIN 57 SEC E, DISTANCE BEING 3088.44 FEET TO A POINT BEING THE NORTHWEST CORNER OF LOT 6 AS RECORDED IN PLAT BOOK 103 PAGE 83; THENCE WITH THE WESTERN LINE OF LOT 6 S 02 DEG 02 MIN 24 SEC E, DISTANCE BEING 383.62 FEET; THENCE WITH A CURVE TO THE LEFT A CHORD BEARING OF S 27 DEG 47 MIN 07 SEC W, CHORD DISTANCE BEING 128.17 FEET, AND HAVING A RADIUS OF 70.00 FEET; THENCE WITH A CURVE TO THE RIGHT A CHORD BEARING OF S 07 DEG 54 MIN 03 SEC W, CHORD DISTANCE BEING 68.60 FEET, AND HAVING A RADIUS OF 100.00 FEET; THENCE WITH A CURVE TO THE LEFT A CHORD BEARING OF S 12 DEG 57 MIN 37 SEC W, CHORD DISTANCE BEING 313.17 FEET, AND HAVING A RADIUS OF 605.00 FEET; THENCE S 02 DEG 02 MIN 24 SEC E, DISTANCE BEING 310.00 FEET TO THE NORTHWEST MARGIN OF SHOSHONE COURT AND CHICKASHA DRIVE; THENCE WITH THE 60 FOOT RIGHT-OF-WAY FOR CHICKASHA DRIVE S 87 DEG 57 MIN 36 SEC W, DISTANCE BEING 30.00 FEET; THENCE WITH THE END OF CHICKASHA DRIVE S 02 DEG 02 MIN 24 SEC E, DISTANCE BEING 60.00 FEET TO A POINT ON THE SOUTHERN 60 FOOT RIGHT-OF-WAY FOR CHICKASHA DRIVE; THENCE N 87 DEG 57 MIN 36 SEC E, DISTANCE BEING 319.73 FEET TO SOUTHWEST MARGIN OF CHICKASHA DRIVE AND KIOWA DRIVE; THENCE WITH THE WESTERN MARGIN OF KIOWA DRIVE S02 DEG 02 MIN 24 SEC E, DISTANCE BEING 673.80 FEET TO A POINT IN THE NORTH LINE OF REEDY FORK RANCH; THENCE WITH THE NORTH LINE OF REEDY FORK RANCH N 89 DEG 08 MIN 46 SEC W, DISTANCE BEING 529.62 FEET TO THE POINT AND PLACE OF BEGINNING, CONTAINING 184.9 ACRES, ACCORDING TO A MAP PREPARED BY EVANS ENGINEERING ENTITLED ANNEXATION MAP FOR D.H.GRIFFIN, SR. AND WIFE MARYLENE F. GRIFFIN, DATED OCTOBER 7, 1999.

Section 2. The owner agrees to pay to the City of Greensboro acreage fees according to the following schedule:

PHASE	SECTION	ACREAGE	PAYABLE	NOT LATER THAN
1	Griffin	185	Upon Initiation	5 Years

Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after April 30, 2000, the liability for municipal taxes for the 1999-2000 fiscal year shall be prorated on the basis of 2/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2000. Municipal ad valorem taxes for the 2000-2001 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after April 30, 2000.

(Signed) Claudette Burroughs-White

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Councilmember Phillips moved that the ordinance establishing original zoning classification from County Zoning Agricultural RS-30 Residential Single Family, and Shopping Center to City Zoning Conditional Use-Planned Unit Development for property located on the east side of U. S. Highway 39 north of Eckerson Road Interchange, northwest of Hines chapel Road, and west of McLeansville Road and on the west side of U. S.

Highway 29 between Summit Avenue Interchange and Chickasha Drive be approved based on the following findings of fact:

- 1) The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety because there are no health or safety concerns inherent in the proposed mixed planned unit development.
- 2) The development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property because much of the surrounding property to the west and north is zoned for and occupied by industrial uses, and planned residential uses in Sections A and B will be compatible with existing land use to the south, east and north.
- 3) The location and character of the development in accordance with the proposed conditions will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City and its environs because increasing development on the east side of the City is major land use goal, encouraging growth in non-watershed locations is another important land use goal, and encouraging the planned unit development zoning classification is a third important land use goal.

The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote:
Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-26 AMENDING OFFICIAL ZONING MAP AND AUTHORIZING ISSUANCE OF CONDITIONAL USE PERMIT

EAST SIDE OF U.S. HIGHWAY 29 NORTH OF ECKERSON ROAD INTERCHANGE, NORTHWEST OF HINES CHAPEL ROAD, AND WEST OF McLEANSVILLE ROAD AND WEST SIDE OF U.S. HIGHWAY 29 BETWEEN SUMMIT AVENUE INTERCHANGE AND CHICKASHA DRIVE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning Agricultural, RS-30 Residential Single Family, and Shopping Center to City Zoning Conditional Use – Planned Unit Development - Mixed (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING AT A POINT (SAID POINT BEING IN THE WESTERN 50 FOOT RIGHT-OF-WAY FOR SUMMIT AVENUE, ALSO BEING THE EASTERN MOST CORNER FOR LOT 1 ALONG SAID RIGHT-OF-WAY AS RECORDED IN PLAT BOOK 102 PAGE 145); THENCE WITH THE EASTERN PROPERTY LINE OF SAID LOT, N 65 DEG 33 MIN 05 SEC W, DISTANCE BEING 309.86 FEET TO A POINT; THENCE S 42 DEG 18 MIN 27 SEC W, DISTANCE BEING 193.04 FEET; THENCE S 15 DEG 45 MIN 29 SEC W, DISTANCE BEING 166.17 FEET TO A POINT; THENCE S 57 DEG 17 MIN 24 SEC W, DISTANCE BEING 293.16 FEET TO A POINT; THENCE S 39 DEG 19 MIN 19 SEC W, DISTANCE BEING 93.25 FEET TO A POINT; THENCE S 68 DEG 46 MIN 54 SEC W, DISTANCE BEING 92.80 FEET TO THE NORTHERN MOST CONTROL CORNER AS SHOWN ON PLAT BOOK 64 PAGE 11; THENCE S 76 DEG 17 MIN 10 SEC W, DISTANCE BEING 94.11 FEET TO A POINT; THENCE S 63 DEG 53 MIN 10 SEC W, DISTANCE BEING 135.60 FEET TO A POINT; THENCE WITH THE NORTHERN LINE OF GREENTREE INCORPORATED AS RECORDED IN DEED BOOK 4096 PAGE 1, S 89 DEG 36 MIN 38 SEC W, DISTANCE BEING 54.32 FEET; THENCE S 71 DEG 30 MIN 59 SEC W, DISTANCE BEING 84.82 FEET; THENCE N 84 DEG 23 MIN 45 SEC W, DISTANCE BEING 107.43 FEET; THENCE N 40 DEG 37 MIN 17 SEC W, DISTANCE BEING 109.50 FEET; THENCE N 13 DEG 08 MIN 27 SEC W, DISTANCE BEING 177.54 FEET; THENCE N 33 DEG 41 MIN 52 SEC W, DISTANCE BEING 98.64 FEET; THENCE N 54 DEG 20 MIN 53 SEC W, DISTANCE BEING 255.70 FEET; THENCE N 35 DEG 49 MIN 55 SEC W, DISTANCE BEING 149.91 FEET; THENCE N 37 DEG 58 MIN 10 SEC E, DISTANCE BEING 59.94 FEET; THENCE N 48 DEG 44 MIN 52 SEC W, DISTANCE BEING 145.04 FEET; THENCE N 85 DEG 13 MIN 55 SEC W, DISTANCE BEING 180.40 FEET; THENCE N 29 DEG 25 MIN 42 SEC

W, DISTANCE BEING 68.00 FEET; THENCE N 51 DEG 45 MIN 04 SEC W, DISTANCE BEING 51.73 FEET; THENCE N 73 DEG 53 MIN 46 SEC W, DISTANCE BEING 117.38 FEET; THENCE N 45 DEG 30 MIN 10 SEC W, DISTANCE BEING 75.35 FEET; THENCE N 18 DEG 23 MIN 04 SEC W, DISTANCE BEING 129.38 FEET; THENCE N 25 DEG 22 MIN 20 SEC W, DISTANCE BEING 88.58 FEET; THENCE N 03 DEG 20 MIN 42 SEC E, DISTANCE BEING 103.58 FEET; THENCE N 33 DEG 59 MIN 58 SEC W, DISTANCE BEING 68.22 FEET TO A POINT IN THE NORTHERN MOST CORNER TO GREENTREE INCORPORATED; THENCE WITH AN EASTERN LINE OF PROCTER AND GAMBLE AS RECORDED IN DEED BOOK 3010 PAGE 943, N 30 DEG 12 MIN 23 SEC W, DISTANCE BEING 203.24 FEET TO A POINT; THENCE N 33 DEG 28 MIN 05 SEC W, DISTANCE BEING 136.66 FEET; THENCE N 02 DEG 09 MIN 13 SEC E, DISTANCE BEING 330.72 FEET; THENCE N 64 DEG 02 MIN 39 SEC W, DISTANCE BEING 265.57 FEET; THENCE S 85 DEG 49 MIN 55 SEC W, DISTANCE BEING 203.92 FEET; THENCE N 85 DEG 11 MIN 48 SEC W, DISTANCE BEING 178.30 FEET; THENCE N 22 DEG 39 MIN 25 SEC W, DISTANCE BEING 192.85 FEET; THENCE N 05 DEG 57 MIN 48 SEC W, DISTANCE BEING 195.08 FEET; THENCE N 13 DEG 39 MIN 41 SEC E, DISTANCE BEING 169.89 FEET; THENCE N 54 DEG 06 MIN 10 SEC E, DISTANCE BEING 273.85 FEET; THENCE N 59 DEG 39 MIN 10 SEC E, DISTANCE BEING 148.36 FEET; THENCE N 54 DEG 15 MIN 44 SEC W, DISTANCE BEING 198.39 FEET; THENCE N 81 DEG 28 MIN 57 SEC W, DISTANCE BEING 157.50 FEET; THENCE N 05 DEG 31 MIN 16 SEC E, DISTANCE BEING 133.30 FEET; THENCE N 46 DEG 24 MIN 52 SEC W, DISTANCE BEING 214.56 FEET; THENCE N 46 DEG 13 MIN 49 SEC W, DISTANCE BEING 283.48 FEET; THENCE N 24 DEG 27 MIN 55 SEC W, DISTANCE BEING 177.24 FEET; THENCE N 41 DEG 52 MIN 17 SEC W, DISTANCE BEING 216.25 FEET; THENCE N 27 DEG 27 MIN 51 SEC W, DISTANCE BEING 236.76 FEET; THENCE N 36 DEG 01 MIN 20 SEC W, DISTANCE BEING 172.72 FEET; THENCE N 30 DEG 18 MIN 21 SEC W, DISTANCE BEING 122.34 FEET; THENCE N 04 DEG 55 MIN 50 SEC W, DISTANCE BEING 184.29 FEET; THENCE S 82 DEG 01 MIN 10 SEC W, DISTANCE BEING 142.62 FEET; THENCE N 18 DEG 54 MIN 50 SEC W, DISTANCE BEING 105.24 FEET; THENCE N 84 DEG 10 MIN 50 SEC W, DISTANCE BEING 174.72 FEET TO THE CENTERLINE OF NORFOLK SOUTHERN RAILROAD, SAID POINT ALSO BEING ON THE CITY LIMIT LINE; THENCE WITH THE CENTERLINE OF NORFOLK SOUTHERN RAILROAD AND THE CITY LIMIT LINE, N 04 DEG 59 MIN 03 SEC E, DISTANCE BEING 577.41 FEET TO THE SOUTHWESTERN CORNER OF DAVID H. GRIFFIN PROPERTY AS RECORDED IN DEED BOOK 4805 PAGE 822; THENCE DEPARTING FROM THE CITY LIMIT LINE AND RUNNING WITH DAVID H. GRIFFIN SOUTH LINE, S 59 DEG 09 MIN 49 SEC E, DISTANCE BEING 191.86 FEET; THENCE S 43 DEG 08 MIN 52 SEC E, DISTANCE BEING 185.18 FEET; THENCE S 50 DEG 38 MIN 05 SEC E, DISTANCE BEING 154.28 FEET; THENCE S 84 DEG 57 MIN 04 SEC E, DISTANCE BEING 126.94 FEET; THENCE S 33 DEG 54 MIN 07 SEC E, DISTANCE BEING 80.79 FEET; THENCE S 55 DEG 24 MIN 22 SEC E, DISTANCE BEING 1632.96 FEET; THENCE S 23 DEG 48 MIN 54 SEC E, DISTANCE BEING 237.05 FEET; THENCE N 65 DEG 33 MIN 01 SEC E, DISTANCE BEING 1160.07 FEET; THENCE N 11 DEG 09 MIN 20 SEC W, DISTANCE BEING 725.84 FEET TO A STONE CONTROL CORNER AS RECORDED IN PLAT BOOK 103 PAGE 83; THENCE WITH THE SOUTH LINE OF BROWN SUMMIT INDUSTRIAL PARK, S 89 DEG 08 MIN 46 SEC E, DISTANCE BEING 529.62 FEET; THENCE S 89 DEG 08 MIN 46 SEC E, DISTANCE BEING 2137.70 FEET TO A POINT ON THE EASTERN 60 FOOT RIGHT-OF-WAY FOR SUMMIT AVENUE AND BEING IN A NORTH LINE OF ALFRED L. COLTRANE AS RECORDED IN DEED BOOK 1442 PAGE 281; THENCE WITH A WESTERN LINE OF ALFRED L. COLTRANE AND THE EASTERN 60 FOOT RIGHT-OF-WAY FOR SUMMIT AVENUE, S 02 DEG 02 MIN 29 SEC E, DISTANCE BEING 101.85 FEET; THENCE WITH THE EASTERN MARGIN OF SUMMIT AVENUE, S 12 DEG 17 MIN 02 SEC E, DISTANCE BEING 775.88 FEET TO THE SOUTHWEST CORNER TO ROBERT L. GUFFEY AS RECORDED IN DEED BOOK 2736 PAGE 27; THENCE WITH ROBERT L. GUFFEY SOUTH LINE, S 86 DEG 45 MIN 42 SEC E, DISTANCE BEING 147.05 FEET; THENCE ALONG THE EAST LINE OF ROBERT L. GUFFEY, N 14 DEG 05 MIN 25 SEC E, DISTANCE BEING 203.64 FEET TO THE NORTH -EASTERN CORNER OF VIRGINIA T. POWELL AS RECORDED IN DEED BOOK 1388 PAGE 310; THENCE ALONG THE EAST LINE OF WYTELL I. SMITH AS RECORDED IN DEED BOOK 1159 PAGE 324, N 00 DEG 54 MIN 50 SEC W, DISTANCE BEING 271.00 FEET TO THE SOUTHEASTERN CORNER OF ALFRED L. COLTRANE; THENCE WITH THE EASTERN LINE OF ALFRED L. COLTRANE, N 08 DEG 52 MIN 01 SEC W, DISTANCE BEING 400.06 FEET TO A POINT IN THE SOUTH LINE OF ANNIE H. BURTON HEIRS AS RECORDED IN DEED BOOK 1122 PAGE 174; THENCE WITH THE SOUTH LINE OF ANNIE H. BURTON HEIRS, S 89 DEG 08 MIN 46 SEC E, DISTANCE BEING 545.75 FEET TO A POINT ON THE WESTERN 250 FOOT RIGHT-OF-WAY FOR U. S. HIGHWAY 29; THENCE CROSSING SAID 250 FOOT RIGHT-OF-WAY FOR U. S. HIGHWAY 29, S 89 DEG 08 MIN 46 SEC E, DISTANCE BEING 278.37 FEET TO A POINT ON THE EASTERN 250 FOOT RIGHT-OF-

WAY FOR U. S. HIGHWAY 29; THENCE WITH THE SOUTHERN LINE TO WILLIAM F. BURTON AS RECORDED IN DEED BOOK 1305 PAGE 451, S 89 DEG 08 MIN 46 SEC E, DISTANCE BEING 2569.73 FEET TO THE SOUTHEAST CORNER OF WILLIAM F. BURTON; THENCE WITH THE EAST LINE OF WILLIAM F. BURTON, N 00 DEG 54 MIN 50 SEC E, DISTANCE BEING 287.50 FEET; THENCE WITH A LINE TO HERBERT W. BURTON, N 03 DEG 24 MIN 50 SEC E, DISTANCE BEING 1355.83 FEET TO THE NORTHEASTERN CORNER OF WILLIAM G. RUDD AS RECORDED IN DEED BOOK 2843 PAGE 848; THENCE WITH THE LINE OF HERBERT W. KENNEDY AS RECORDED IN DEED BOOK 4224 PAGE 326, N 54 DEG 37 MIN 39 SEC E, DISTANCE BEING 1074.81 FEET TO THE EASTERN MOST CORNER OF HERBERT W. KENNEDY ALSO BEING THE WESTERN MOST CORNER TO JAMES D. SMITH; THENCE ALONG THE WESTERN LINE OF JAMES D. SMITH, S 17 DEG 15 MIN 26 SEC E, DISTANCE BEING 2059.91 FEET; THENCE WITH JAMES D. SMITH, S 64 DEG 56 MIN 44 SEC E, DISTANCE BEING 223.25 FEET TO A POINT; THENCE WITH JAMES D. SMITH, S 48 DEG 24 MIN 14 SEC E, DISTANCE BEING 469.20 FEET; THENCE N 44 DEG 35 MIN 30 SEC E, DISTANCE BEING 731.03 FEET; THENCE WITH JAMES D. SMITH, S 00 DEG 48 MIN 40 SEC W, DISTANCE BEING 783.30 FEET; THENCE WITH THE LINE OF JAMES D. SMITH AND PATRICIA S. BUSICK, S 04 DEG 52 MIN 28 SEC W, DISTANCE BEING 986.80 FEET TO THE SOUTHWEST CORNER OF PATRICIA S. BUSICK AS RECORDED IN DEED BOOK 3045 PAGE 710; THENCE ALONG THE SOUTHERN LINE OF PATRICIA S. BUSICK, S 85 DEG 35 MIN 27 SEC E, DISTANCE BEING 1179.94 FEET TO THE NORTHWESTERN CORNER OF DENNIS L. ROBERTSON AS RECORDED IN DEED BOOK 3340 PAGE 207; THENCE WITH DENNIS L. ROBERTSON, S 35 DEG 39 MIN 36 SEC E, DISTANCE BEING 735.84 FEET TO THE SOUTHERN MOST CORNER TO DENNIS L. ROBERTSON AS RECORDED IN DEED BOOK 2897 PAGE 669, ALSO BEING IN THE WESTERN 60 FOOT RIGHT-OF-WAY FOR McLEANSVILLE ROAD; THENCE WITH THE WESTERN 60 FOOT RIGHT-OF-WAY FOR McLEANSVILLE ROAD, S 08 DEG 41 MIN 41 SEC E, DISTANCE BEING 1004.45 FEET TO THE NORTHEAST CORNER OF TIMOTHY T. MERICKA AS RECORDED IN DEED BOOK 3984 PAGE 951; THENCE WITH THE NORTH LINE OF TIMOTHY T. MERICKA, S 81 DEG 30 MIN 40 SEC W, DISTANCE BEING 1049.92 FEET; THENCE S 33 DEG 43 MIN 25 SEC W, DISTANCE BEING 61.19 FEET TO THE CENTERLINE OF REEDY FORK CREEK ALSO BEING IN THE NORTH LINE OF SOUTH JEFFERSON, INC.; THENCE WITH THE CENTERLINE OF REEDY FORK CREEK AND THE NORTH LINE OF SOUTH JEFFERSON, INC. AS RECORDED IN DEED BOOK 1940 PAGE 686, N 75 DEG 04 MIN 01 SEC W, DISTANCE BEING 71.46 FEET; THENCE N 89 DEG 52 MIN 27 SEC W, DISTANCE BEING 351.45 FEET; THENCE S 79 DEG 25 MIN 00 SEC W, DISTANCE BEING 180.52 FEET; THENCE S 50 DEG 56 MIN 24 SEC W, DISTANCE BEING 75.87 FEET; THENCE S 29 DEG 59 MIN 12 SEC W, DISTANCE BEING 341.22 FEET; THENCE S 37 DEG 53 MIN 22 SEC W, DISTANCE BEING 449.42 FEET; THENCE S 67 DEG 26 MIN 12 SEC W, DISTANCE BEING 101.51 FEET; THENCE N 89 DEG 46 MIN 32 SEC W, DISTANCE BEING 469.20 FEET TO A POINT IN THE CENTERLINE OF REEDY FORK CREEK, ALSO SAID POINT BEING THE NORTHWEST CORNER OF SOUTH JEFFERSON, INC; THENCE WITH THE WESTERN LINE OF SOUTH JEFFERSON, INC. AND LEAVING THE CENTER OF REEDY FORK CREEK, S 05 DEG 01 MIN 08 SEC W, DISTANCE BEING 1449.18 FEET TO A POINT IN THE WEST LINE OF DAN HOLDER AS RECORDED IN DEED BOOK 2083 PAGE 504, ALSO BEING THE NORTHEAST CORNER TO LAWRENCE E. TURNER AS RECORDED IN DEED BOOK 4433 PAGE 1815; THENCE WITH THE NORTH LINE OF LAWRENCE E. TURNER, N 88 DEG 57 MIN 34 SEC W, DISTANCE BEING 436.87 FEET; THENCE S 03 DEG 06 MIN 25 SEC W, DISTANCE BEING 436.47 FEET; THENCE N 88 DEG 56 MIN 20 SEC W, DISTANCE BEING 1082.26 FEET TO THE NORTHWESTERN CORNER TO LAWRENCE E. TURNER ALSO BEING THE NORTHERN CORNER OF MARTIN MARIETTA MATERIALS, INC. AS RECORDED IN DEED BOOK 4166 PAGE 1160; THENCE WITH THE NORTHERN LINE OF MARTIN MARIETTA MATERIALS, INC., S 46 DEG 07 MIN 42 SEC W, DISTANCE BEING 2392.06 FEET; THENCE S 87 DEG 26 MIN 10 SEC W, DISTANCE BEING 1762.93 FEET; THENCE S 75 DEG 13 MIN 29 SEC W, DISTANCE BEING 2073.26 FEET TO A POINT ON THE WESTERN RIGHT-OF-WAY FOR ECKERSON ROAD, SAID POINT ALSO BEING IN AN EASTERN LINE OF WYSONG AND MILES CORPORATION AS RECORDED IN PLAT BOOK 115 PAGE 18; THENCE WITH THE WESTERN MARGIN OF ECKERSON ROAD AND THE EASTERN LINE OF WYSONG AND MILES CORPORATION, N 11 DEG 20 MIN 41 SEC E, DISTANCE BEING 1217.10 FEET; THENCE N 80 DEG 39 MIN 47 SEC W, DISTANCE BEING 27.97 FEET TO A POINT IN THE WESTERN 100 FOOT RIGHT-OF-WAY FOR ECKERSON ROAD; THENCE WITH THE SAID 100 FOOT RIGHT-OF-WAY FOR ECKERSON ROAD, N 10 DEG 27 MIN 35 SEC E, DISTANCE BEING 910.65 FEET; THENCE N 50 DEG 21 MIN 32 SEC W, DISTANCE BEING 37.83 FEET TO A POINT, SAID POINT BEING THE NORTHERN MOST CORNER TO WYSONG AND MILES CORPORATION AS RECORDED IN PLAT BOOK 115 PAGE 18;

THENCE WITH THE WESTERN LINE OF WYSONG AND MILES CORPORATION AND THE EASTERN RIGHT-OF-WAY FOR U. S. HIGHWAY 29, BEING A CURVE TO THE LEFT, A CHORD BEARING OF S 51 DEG 05 MIN 34 SEC W, CHORD DISTANCE BEING 925.37 FEET AND HAVING A RADIUS OF 954.93 FEET, TO A POINT IN THE EASTERN 250 FOOT RIGHT-OF-WAY FOR U. S. HIGHWAY 29; THENCE WITH THE EASTERN MARGIN OF SAID HIGHWAY, S 28 DEG 57 MIN 31 SEC W, DISTANCE BEING 1201.47 FEET; THENCE CROSSING SAID U. S. HIGHWAY 29, N 56 DEG 17 MIN 12 SEC W, DISTANCE BEING 274.46 FEET TO THE WESTERN 250 FOOT RIGHT-OF-WAY FOR U. S. HIGHWAY 29, SAID POINT ALSO BEING THE NORTHEASTERN CORNER FOR THE STATE OF NORTH CAROLINA (OR KNOWN AS THE SCHOOL FOR THE DEAF) AS RECORDED IN DEED BOOK 2662 PAGE 159; THENCE WITH THE WESTERN RIGHT-OF-WAY FOR U.S. HIGHWAY 29 N 30 DEG 03 MIN 13 SEC E 1222.76 FEET TO A POINT; THENCE ALONG SAID RIGHT-OF-WAY LINE ALONG A CURVE TO THE LEFT THE FOLLOWING THREE CALLS: N 23 DEG 48 MIN 22 SEC E BEING 271.17 FEET AND HAVING A RADIUS OF 1059.92 FEET TO A POINT; N 07 DEG 47 MIN 40 SEC W BEING 372.70 FEET AND HAVING A RADIUS OF 486.96 FEET TO A POINT; N 37 DEG 20 MIN 10 SEC W BEING 165.53 FEET AND HAVING A RADIUS OF 1059.92 FEET TO A POINT; THENCE N 42 DEG 47 MIN 43 SEC W 201.91 FEET TO A POINT IN THE WESTERN RIGHT-OF-WAY LINE OF SUMMIT AVENUE; THENCE N 47 DEG 56 MIN 10 SEC E, DISTANCE BEING 709.41 FEET TO A POINT, SAID POINT BEING THE SOUTHERN MOST CORNER TO SUSAN McCANLESS AS RECORDED IN DEED BOOK 4771 PAGE 1639; THENCE N 48 DEG 15 MIN 52 SEC E, DISTANCE BEING 59.96 FEET; THENCE WITH THE WESTERN MARGIN OF SUMMIT AVENUE, N 47 DEG 56 MIN 10 SEC E, DISTANCE BEING 425.26 FEET; THENCE N 50 DEG 23 MIN 07 SEC E, DISTANCE BEING 101.36 FEET; THENCE N 44 DEG 54 MIN 15 SEC E, DISTANCE BEING 98.22 FEET, THENCE N 41 DEG 38 MIN 44 SEC E, DISTANCE BEING 97.37 FEET; THENCE N 37 DEG 17 MIN 04 SEC E, DISTANCE BEING 97.15 FEET; THENCE N 33 DEG 25 MIN 03 SEC E, DISTANCE BEING 97.47 FEET; THENCE N 29 DEG 56 MIN 56 SEC E, DISTANCE BEING 98.14 FEET; THENCE N 28 DEG 00 MIN 30 SEC E, DISTANCE BEING 98.98 FEET; THENCE N 22 DEG 02 MIN 36 SEC E, DISTANCE BEING 77.90 FEET TO THE POINT AND PLACE OF BEGINNING CONTAINING 1620.5 ACRES. SAVE AND EXCEPT THAT 8.5 ACRE TRACT FRONTING THE WESTERN 250 FOOT RIGHT-OF-WAY FOR U. S. HIGHWAY 29 AND BEING 125 FEET NORTH OF REEDY FORK CREEK BEING SHOWN AS TAX MAP ACL-4-195-443-11 BEING THE PROPERTY OF WILLIAM A. MERICKA AND WIFE MARY J. MERICKA AS RECORDED IN DEED BOOK 2801 PAGE 885 DATED FEBRUARY 9, 1976 AND BEING THE SAME TRACT CONVEYED FROM REEDY FORK RANCH TO WILLIAM J. MERICKA RECORDED IN DEED BOOK 1467 PAGE 52 DATED NOVEMBER 24, 1952.

Section 2. That the issuance of a Conditional Use Permit in accordance with the above-mentioned change in zoning classification is hereby authorized subject to the following use limitations and conditions:

- 1) Uses: All uses permitted in the CU-PDM zone except Manufactured Dwellings; Manufactured Dwelling Parks; Flea Markets, Outdoor; and Sexually Oriented Businesses.
- 2) Section A shall be limited to uses permitted in RS, RM, TND, NB, LB and LO zoning districts. The number of residential units shall not exceed 1050. Areas for business and/or commercial uses shall not exceed 25 acres. This section contains approximately 321 acres.
- 3) Sections B and C shall be limited to: a) uses permitted in RS, RM and TND zoning districts with dwelling units not to exceed 2800; b) a business park containing uses permitted in the CP, HB and LI zoning districts not to exceed 115 acres and 1,200,000 square feet; and c) a Retail Center containing uses permitted in the SC zoning district and not exceeding 32 acres containing not more than 250,000 square feet of retail uses and two hotels. These sections contain approximately 821 acres.
- a) Development of Sections B and C shall be limited to 800 Residential units and related recreational uses located on Area 1 of Section B until the earlier of the completion of Hwy 29 or other improvements sufficient to provide access to these sections or January 1, 2010.
- b) A revised Unified Development Plan for Sections B and C shall be submitted for Planning Board approval prior to development of any use not permitted in paragraph a). The locations and shapes of the Sections may change to accommodate roadway improvements; however, the amount of acreage, types of uses and permitted densities may not exceed those provided in this section 3).
- 4) Section D shall be limited to uses permitted in the HB zoning district. This section contains approximately 6 acres.

- 5) Section E shall be limited to uses permitted in the RS, RM, TND, CP and LI zoning districts. The number of residential units shall not exceed 800 and business uses shall not exceed 2,000,000 square feet. This section contains approximately 347 acres.
- 6) The maximum number of residential units permitted on each of the Sections shall be reduced by 4 units for each acre devoted to a use not permitted in the RS, RM or TND zoning districts.
- 7) The maximum building height for Sections A and B shall be 50 feet and the maximum height for Sections C, D and E shall be as provided for the CP zoning district.
- 8) Reference to permitted uses in zoning districts shall mean those uses permitted on the effective date of this zoning unless the owner seeks and the Planning Board approves a use which has been added to the zoning district subsequent to said effective date.
- 9) Common Elements, Recreation Areas and Open Space shall total not less than 400 acres.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development to be made pursuant to any Conditional Use Permit shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective upon the date of annexation.

(Signed) Thomas M. Phillips

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Councilmember Burroughs-White moved adoption of the ordinance establishing original zoning classification from County Zoning Light Industrial to City Zoning Conditional Use-Light Industrial for property located at the southwest intersection of Summit Avenue and the southbound entry ramp to U. S. Highway 29 be approved based on the following findings of fact:

- 1) The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety because there are no health or safety concerns inherent in the proposed industrial use of the property.
- 2) The development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property because this property is presently zoned Light Industrial by Guilford County.
- 3) The location and character of the development in accordance with the proposed conditions will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City and its environs because industrial zoning is compatible with surrounding zoning and land use on the west side of U.S. Highway 29.

The motion was seconded by Councilmember Johnson; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-27 AMENDING OFFICIAL ZONING MAP AND AUTHORIZING ISSUANCE OF CONDITIONAL USE PERMIT

SOUTHWEST INTERSECTION OF SUMMIT AVENUE AND THE SOUTHBOUND ENTRY RAMP TO U.S. HIGHWAY 29

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning Light Industrial to Conditional Use – Light Industrial (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING AT A POINT IN THE WESTERN RIGHT-OF-WAY FOR U.S. HIGHWAY 29, SAID POINT ALSO BEING THE NORTHEASTERN CORNER FOR THE STATE OF NORTH CAROLINA (OR KNOWN AS THE SCHOOL FOR THE DEAF) AS RECORDED IN DEED BOOK 2662, PAGE 159; THENCE WITH THE NORTH LINE OF THE STATE OF NORTH CAROLINA AS RECORDED IN DEED BOOK 2662 PAGE 159, N 56 DEG 17 MIN 12 SEC W, DISTANCE BEING 1026.29 FEET TO A POINT IN THE SOUTH LINE OF R AND J PROPERTIES OF GREENSBORO AS RECORDED IN DEED BOOK 4244 PAGE 1593; THENCE WITH SAID R AND J PROPERTIES OF GREENSBORO, N 60 DEG 00 MIN 00 SEC E, DISTANCE BEING 68.00 FEET; THENCE N 08 DEG 53 MIN 41 SEC W, DISTANCE BEING 778.68 FEET TO THE NORTHERN RIGHT-OF-WAY FOR SUMMIT AVENUE; THENCE WITH THE NORTHERN MARGIN OF SUMMIT AVENUE, S 89 DEG 17 MIN 00 SEC E, DISTANCE BEING 77.63 FEET; THENCE WITH A CURVE TO THE LEFT, A CHORD BEARING OF N 81 DEG 51 MIN 30 SEC E, CHORD DISTANCE OF 283.10 FEET AND HAVING A RADIUS OF 919.20 FEET, TO THE SOUTHEASTERN CORNER OF PROCTER AND GAMBLE AS RECORDED IN DEED BOOK 3010 PAGE 943, SAID POINT ALSO BEING THE SOUTHWEST CORNER TO GREENTREE, INC.; THENCE WITH THE SOUTH LINE OF GREENTREE, INC. AND THE WESTERN MARGIN OF SUMMIT AVENUE, N 68 DEG 05 MIN 07 SEC E, DISTANCE BEING 90.93 FEET; THENCE N 65 DEG 13 MIN 08 SEC E, DISTANCE BEING 268.38 FEET; THENCE N 24 DEG 47 MIN 27 SEC W, DISTANCE BEING 20.00 FEET TO A POINT IN THE WESTERN 100 FOOT RIGHT-OF-WAY FOR SUMMIT AVENUE; THENCE ALONG THE WESTERN MARGIN OF SUMMIT AVENUE, N 65 DEG 13 MIN 09 SEC E, DISTANCE BEING 310.58 FEET; THENCE WITH A CURVE TO THE LEFT, A CHORD BEARING OF N 56 DEG 34 MIN 40 SEC E, CHORD DISTANCE BEING 514.19 FEET AND HAVING A RADIUS OF 1743.61 FEET; THENCE CROSSING SUMMIT AVENUE S 42 DEG 47 MIN 43 SEC E 201.91 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT ALONG THE WESTERN RIGHT-OF-WAY LINE OF U.S. HIGHWAY 29 THE FOLLOWING THREE CALLS: S 37 DEG 20 MIN 10 SEC E DISTANCE BEING 165.53 FEET AND HAVING A RADIUS OF 1059.92 FEET TO A POINT; S 07 DEG 47 MIN 40 SEC E DISTANCE BEING 372.70 FEET AND HAVING A RADIUS OF 486.96 FEET TO A POINT; S 23 DEG 48 MIN 22 SEC W DISTANCE BEING 271.17 FEET AND HAVING A RADIUS OF 1059.92 FEET TO A POINT; THENCE CONTINUING ALONG SAID WESTERN RIGHT-OF-WAY LINE S 30 DEG 03 MIN 13 SEC W DISTANCE BEING 1222.76 FEET TO THE POINT AND PLACE OF BEGINNING, CONTAINING APPROXIMATELY 43.1 ACRES AND SHOWN ON “REZONING MAP REEDY FORK RANCH” PREPARED BY EVANS ENGINEERING INCORPORATED AND DATED OCTOBER 15, 1999.

Section 2. That the issuance of a Conditional Use Permit in accordance with the above-mentioned change in zoning classification is hereby authorized subject to the following use limitations and conditions:

- 1) Uses: All uses permitted in the LI zone.
- 2) The application rate for canopy trees in Street Yards shall be twice the rate specified in Table 30-5-4-2 (supp. No. 16).

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development to be made pursuant to any Conditional Use Permit shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective upon the date of annexation.

(Signed) Claudette Burroughs-White

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Councilmember Burroughs-White moved adoption of the ordinance establishing original zoning classification from County Zoning Conditional Use-Heavy Industrial to City Zoning Conditional Use-Heavy Industrial for property located on the west side of Kiowa Drive and Shoshone Court east of Norfolk Southern Railroad right of way be approved based on the following findings of fact:

- 1) The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety because there are no health or safety concerns inherent in the potential use of the property since any use requiring issuance of a Special Use Permit has been excluded from this property.
- 2) The development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property because this property is presently zoned Conditional Use – Heavy Industrial by Guilford County.
- 3) The location and character of the development in accordance with the proposed conditions will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City and its environs because such uses as asphalt plants, mining and quarrying, petroleum and related products production, and salvage yards have been excluded from this property.

The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote:
Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-28 AMENDING OFFICIAL ZONING MAP AND AUTHORIZING ISSUANCE OF CONDITIONAL USE PERMIT

WEST SIDE OF KIOWA DRIVE AND SHOSHONE COURT EAST OF NORFOLK SOUTHERN RAILROAD RIGHT-OF-WAY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning Conditional Use – Heavy Industrial to City Zoning Conditional Use – Heavy Industrial (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING AT A STONE CONTROL CORNER (SAID STONE CONTROL CORNER BEING THE SOUTHWEST STONE CONTROL CORNER RECORDED IN PLAT BOOK 103 PAGE 83 ALSO BEING A CORNER TO REEDY FORK RANCH AS RECORDED IN DEED BOOK 2369 PAGE 454 AND DESCRIBED IN DEED BOOK 298 PAGE 513); THENCE S 11 DEG 09 MIN 20 SEC E, DISTANCE BEING 725.84 FEET; THENCE S 65 DEG 33 MIN 01 SEC W, DISTANCE BEING 1160.07 FEET; THENCE N 23 DEG 48 MIN 54 SEC W, DISTANCE BEING 237.05 FEET; THENCE N 55 DEG 24 MIN 22 SEC W, DISTANCE BEING 1632.96 FEET; THENCE N 33 DEG 54 MIN 07 SEC W, DISTANCE BEING 80.79 FEET; THENCE N 84 DEG 57 MIN 04 SEC W, DISTANCE BEING 126.94 FEET; THENCE N 50 DEG 38 MIN 05 SEC W, DISTANCE BEING 154.28 FEET; THENCE N 43 DEG 08 MIN 52 SEC W, DISTANCE BEING 185.18 FEET; THENCE N 59 DEG 09 MIN 49 SEC W, DISTANCE BEING 191.86 FEET TO THE CENTERLINE OF NORFOLK SOUTHERN RAILROAD, SAID POINT ALSO BEING ON THE CITY LIMIT LINE; THENCE WITH THE CENTERLINE OF NORFOLK SOUTHERN RAILROAD AND THE CITY LIMIT LINE, N 06 DEG 05 MIN 20 SEC E, DISTANCE BEING 1731.05 FEET TO A POINT IN THE CENTERLINE OF NORFOLK SOUTHERN RAILROAD, SAID POINT ALSO BEING A SOUTHWESTERN CORNER OF ALLER C. FAUCETT AS RECORDED IN DEED BOOK 2646 PAGE 655; THENCE DEPARTING FROM THE CITY LIMIT LINE AND RUNNING WITH THE SOUTHERN LINE OF ALLER C. FAUCETT S 86 DEG 30 MIN 57 SEC E, DISTANCE BEING 3088.44 FEET TO A POINT BEING THE NORTHWEST CORNER OF LOT 6 AS RECORDED IN PLAT BOOK 103 PAGE 83; THENCE WITH THE WESTERN LINE OF LOT 6 S 02 DEG 02 MIN 24 SEC E, DISTANCE BEING 383.62 FEET; THENCE WITH A CURVE TO THE LEFT A CHORD BEARING OF S 27 DEG 47 MIN 07 SEC W, CHORD DISTANCE BEING 128.17 FEET, AND HAVING A RADIUS OF 70.00

FEET; THENCE WITH A CURVE TO THE RIGHT A CHORD BEARING OF S 07 DEG 54 MIN 03 SEC W, CHORD DISTANCE BEING 68.60 FEET, AND HAVING A RADIUS OF 100.00 FEET; THENCE WITH A CURVE TO THE LEFT A CHORD BEARING OF S 12 DEG 57 MIN 37 SEC W, CHORD DISTANCE BEING 313.17 FEET, AND HAVING A RADIUS OF 605.00 FEET; THENCE S 02 DEG 02 MIN 24 SEC E, DISTANCE BEING 310.00 FEET TO THE NORTHWEST MARGIN OF SHOSHONE COURT AND CHICKASHA DRIVE; THENCE WITH THE 60 FOOT RIGHT-OF-WAY FOR CHICKASHA DRIVE S 87 DEG 57 MIN 36 SEC W, DISTANCE BEING 30.00 FEET; THENCE WITH THE END OF CHICKASHA DRIVE S 02 DEG 02 MIN 24 SEC E, DISTANCE BEING 60.00 FEET TO A POINT ON THE SOUTHERN 60 FOOT RIGHT-OF-WAY FOR CHICKASHA DRIVE; THENCE N 87 DEG 57 MIN 36 SEC E, DISTANCE BEING 319.73 FEET TO SOUTHWEST MARGIN OF CHICKASHA DRIVE AND KIOWA DRIVE; THENCE WITH THE WESTERN MARGIN OF KIOWA DRIVE S02 DEG 02 MIN 24 SEC E, DISTANCE BEING 673.80 FEET TO A POINT IN THE NORTH LINE OF REEDY FORK RANCH; THENCE WITH THE NORTH LINE OF REEDY FORK RANCH N 89 DEG 08 MIN 46 SEC W, DISTANCE BEING 529.62 FEET TO THE POINT AND PLACE OF **BEGINNING**, CONTAINING 184.9 ACRES, ACCORDING TO A MAP PREPARED BY EVANS ENGINEERING ENTITLED ANNEXATION MAP FOR D.H.GRIFFIN, SR. AND WIFE MARYLENE F. GRIFFIN, DATED OCTOBER 7, 1999.

Section 2. That the issuance of a Conditional Use Permit in accordance with the above-mentioned change in zoning classification is hereby authorized subject to the following use limitations and conditions:

- 1) Uses: All uses permitted in the HI zone except Correctional Institutions, Fuel Oil Sales, Manufactured Home Sales, and any use requiring issuance of a Special Use Permit.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development to be made pursuant to any Conditional Use Permit shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective upon the date of annexation.

(Signed) Claudette Burroughs-White

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Moving to the Consent Agenda, Mayor Holliday read the titles of the following ordinances as required by the Greensboro Code of Ordinances:

- ◆ Ordinance amending in the amount of \$6,000 the State and Federal Grant Fund Budget for improving the asphalt trail connecting Country Park to Guilford Courthouse National Military Park
- ◆ Ordinance amending in the amount of \$850,000 the FY 99-00 War Memorial Coliseum Complex Fund Budget to account for increased co-promoted events

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Councilmember Johnson left the Chamber at 8:25 p.m.

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Mayor Holliday requested a motion to approve all ordinances, resolutions and motions listed on the Consent Agenda. Councilmember Phillips moved adoption of the Consent Agenda. The motion was seconded by Councilmember Carmany; the Consent Agenda was adopted on the following roll call vote: Ayes: Burroughs-

White, Carmany, Holliday, Johnson (in absentia as provided for by law) Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-29 ORDINANCE AMENDING THE STATE AND FEDERAL GRANT FUND BUDGET FOR IMPROVING THE ASPHALT TRAIL CONNECTING COUNTRY PARK TO GUILFORD COURTHOUSE NATIONAL MILITARY PARK.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State and Federal Grant Fund of the City of Greensboro is hereby amended as follows:

That the appropriation to the State and Federal Grant Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5050-01.5611	Maint & Repair-Streets/Sidewalks	\$6,000

and, that this increase be financed by increasing the following State and Federal Grant Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5050-01.7100	Federal Grant Revenue	\$6,000

(Signed) Thomas M. Phillips

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00-30 ORDINANCE AMENDING THE FY 99-00 WAR MEMORIAL COLISEUM COMPLEX FUND BUDGET TO ACCOUNT FOR INCREASED CO-PROMOTED EVENTS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the FY 99-00 Annual Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the War Memorial Coliseum Complex Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
521-7531.01.5279	Promotion - Other	850,000

and, that this increase be financed by increasing the following War Memorial Coliseum Complex Fund accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
521-7531.01.7730	Admission & Charges	850,000

(Signed) Thomas M. Phillips

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19-00 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2000-04
WITH YATES CONSTRUCTION COMPANY, INC. FOR SIDEWALK REMOVAL AND
REPLACEMENT IMPROVEMENTS PROJECT

WHEREAS, after due notice, bids have been received for sidewalk removal and replacement improvements project;

WHEREAS, Yates Construction Company, Inc., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$151,129.00 as general contractor for Contract No. 2000-04, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Yates Construction Company, Inc. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account No. 402-6002-01.6015 CBR 001.

(Signed) Thomas M. Phillips

(A tabulation of bid for sidewalk removal and replacement improvements project is filed with the above resolution and is hereby referred to and made a part of these minutes.)

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20-00 RESOLUTION AUTHORIZING THE SALE OF REAL ESTATE TO FRIENDSHIP COMMUNITY
CHURCH OF GOD

WHEREAS, the City of Greensboro owns Tax Map ACL 1-30-H-894-N-46, the property hereinafter referred to, the same being former Guilford College Volunteer Fire Department;

WHEREAS, the property has been advertised in "as is" condition at which time Friendship Community Church of God submitted a bid to purchase this property for the appraised amount of Three Hundred Seventy Five Thousand Dollars and 00/100 (\$375,000.00) and no upset bids have been received;

WHEREAS, no upset bids have been received since the church submitted their bid;

WHEREAS, payment for the property shall be as follows: \$37,500.00 deposited with the initial bid, an additional deposit at closing and the balance to be financed, which amount is to be determined at a later date;

WHEREAS, in the opinion of the City Council, the best interest of the City will be promoted by the sale of said property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That pursuant to the provisions of the Charter of the City of Greensboro, the Mayor and City Clerk are hereby authorized to execute, on behalf of the City of Greensboro, a proper conveyance of all the rights, title and interest of the City in and to the premises hereinafter described to the purchaser upon the terms and conditions hereinabove set out, the same premises being described as follows:

PROPERTY LOCATED AT 201 COLLEGE ROAD
TAX MAP: 1-30-H-894-N-44 THRU 47
ZONED: RS-12

(Signed) Thomas M. Phillips

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21-00 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 96-000560 WITH JOHN S. CLARK FOR THE GREENSBORO PUBLIC LIBRARY PROJECT

WHEREAS, Contract No. 96-000560 with John S. Clark provides for the Greensboro Public Library Project;

WHEREAS, when the Library project was bid, the City requested the contractors submit a change order for the estimated State and Local taxes they would pay over the life of the project to insure all possible funding could be made available for this project;

WHEREAS, the City receives a rebate on all documented State and Local taxes for the project, said tax payment to be funded from an alternative account;

WHEREAS, the project is now complete and John S. Clark has requested that the actual taxes paid be reflected in their contract amount, thereby necessitating a change order in the contract in the amount of \$59,560.95.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with John S. Clark for the Greensboro Public Library Project is hereby authorized at a total cost of \$59,560.95, payment of said additional amount to be made from Account No. 433-5502-01.6013 CBR 002.

(Signed) Thomas M. Phillips

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Motion to make a part of the minutes destruction of expired records was unanimously adopted.

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Motion to approve the minutes of regular meeting of 18 January 2000 was unanimously adopted.

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Mayor Holliday introduced an ordinance amending Chapter 16 of the Greensboro Code of Ordinances with respect to Motor Vehicles and Traffic.

After the Manager briefly explained that the proposed revision to the Code for parking in restricted handicapped spaces would reflect the increase in civil penalty under the North Carolina General Statutes, Councilmember Phillips moved adoption of the ordinance. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson (in absentia as provided for by law), Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-31 AMENDING CHAPTER 16

AN ORDINANCE AMENDING CHAPTER 16 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO MOTOR VEHICLES AND TRAFFIC

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. That Section 16-71 of the Greensboro Code of Ordinances is hereby amended by rewriting the first two sentences thereof to read as follows:

“(a) Except as hereinafter provided, for each violation as set forth in section 16-73, there shall be a fixed civil penalty charge in the amount of five dollars (\$5.00). For unlawful parking in a restricted handicapped space, there shall be a fixed civil penalty charge in the amount of two hundred fifty dollars (\$250.00); provided that if the person charged furnishes proof that at the time the parking ticket was issued, he was assigned a valid distinguishing handicap license plate or placard but had failed to display it on the vehicle, the fixed civil penalty shall be in the amount of twenty-five dollars (\$25.00).”

(Signed) Thomas M. Phillips

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The Mayor introduced an ordinance amending Chapter 16 of the Greensboro Code of Ordinances with respect to Motor Vehicles and Traffic. Councilmember Carmany moved adoption of the ordinance; the motion was seconded by Councilmember Vaughan.

Terry Bellamy, Department of Transportation, explained that the operation of the traffic control photographic systems would automatically capture traffic control violations and authorize the issuance of civil citations. Council briefly discussed various opinions and concerns with respect to the proposed ordinance; i.e., the need to provide the public with appropriate information, the criteria to be used to identify the placement/location of the systems, the approximate number of systems to be installed, and the need to equally distribute these systems throughout the City, etc.

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Councilmember Johnson re-entered the Chamber at 8:29 p.m. during the above discussion.

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After brief discussion regarding the fact that violation of this section would be deemed noncriminal violations for which no points or insurance points would be assigned to the owner or driver of the vehicle, Councilmember Carmany included that clarification in her motion. The motion, as amended, was seconded by Councilmember Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-32 AMENDING CHAPTER 16

AN ORDINANCE AMENDING CHAPTER 16 OF THE GREENSBORO CODE WITH RESPECT TO MOTOR VEHICLES AND TRAFFIC

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. That Section 16-1 of the Greensboro Code of Ordinances is amended by adding the following definitions in their respective alphabetical order:

“Traffic control photographic system is an electronic system consisting of a photographic, video or electronic camera and a vehicle sensor installed to work in conjunction with an official traffic control device and to automatically produce photographs, video or digital images of each vehicle violating a standard traffic control statute or ordinance.

In operation means operating in good working condition.

System location is the approach to an intersection toward which a photographic, video or electronic camera is directed and is in operation.

Vehicle owner is the person identified by the North Carolina Division of

Motor Vehicles as the registered owner of a vehicle.”

Section 2. That Chapter 16 of the Greensboro Code of Ordinances is hereby further amended by adding a new section following Section 16-57 to read as follows:

“Sec. 16-58. Traffic control photographic systems

(a) *Administration.* The City of Greensboro shall implement a system for capturing traffic control violations, as defined under G.S. 20-158, with a traffic control photographic system that will use the photographic images as prima facie evidence of the traffic violations and will authorize the Greensboro Department of Transportation or an agent of the Department to issue civil citations.

The City of Greensboro Department of Transportation shall administer the Traffic Control Photographic Program and shall maintain a list of system locations where traffic control photographic systems are installed.

Any citation for a violation of G.S. 20-158 or other traffic violation, issued by a duly authorized law enforcement officer at a system location shall be treated, pursuant to G.S. 20-156, as an infraction so long as the system photographic images are not used as prima facie evidence of the violation.

The citation shall clearly state the manner in which the violation may be reviewed. The citation shall be processed by officials or agents of the City of Greensboro and shall be forwarded by personal service or first-class mail to the owner’s address as given on the motor vehicle registration.

(b) *Offense.* (1) It shall be unlawful for a vehicle to cross the stop line at a system location when the traffic signal for that vehicle’s direction of travel is emitting a steady red light, or for a vehicle to violate any other traffic regulation specified in G. S. 20-158.

(2) The owner of a vehicle shall be responsible for a violation under this section, unless the owner can furnish evidence that the vehicle was in the care, custody, or control of another person at the time of the violation, as described in subsection (3).

(3) Notwithstanding subsection(2), the owner of the vehicle shall not be responsible for the violation if, within twenty-one (21) days after notification of the violation, the owner furnishes the officials or agents of the City:

- (i) The name and address of the person or entity who leased, rented, or otherwise had the care, custody, and control of the vehicle at the time of the violation; or
- (ii) An affidavit by the owner stating that, at the time of the violation, the vehicle involved was stolen or was in the care, custody, or control of some person who did not have permission to use the vehicle.

(c) *Penalty.* Any violation of this section shall be deemed a noncriminal violation for which a civil penalty of fifty dollars (\$50.00) shall be assessed, and for which no points authorized by G.S. 20-16(c) shall be assigned to the owner or driver of the vehicle, nor insurance points as authorized by G.S. 58-36.65. Failure to pay the civil penalty or to respond to the citation within twenty-one (21) days shall constitute a waiver of the right to contest responsibility for the violation and shall subject the owner to a civil penalty not to exceed one hundred dollars (\$100.00). The City shall establish procedures for the collection of the civil penalties and shall enforce the penalties by a civil action in the nature of a debt.

(d) *Nonjudicial administrative hearing.* The City of Greensboro Department of Transportation shall establish an administration process to review objections to citations or penalties issued or assessed. A notice requesting a hearing to review objections shall be filed within twenty-one (21) days after notification of the violation. An individual desiring a nonjudicial hearing must post a bond in the amount of \$50.00 before a hearing will be scheduled. The determination of the hearing officer will be final.”

Section 3. That this ordinance shall become effective on March 1, 2000.

Section 4. That all laws and classes of laws in conflict with the provision of this ordinance are hereby repealed to the extent of such conflict.

(Signed) Sandy Carmany

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Mayor Holliday introduced an ordinance amending in the amount of \$25,000 the FY 99-00 Housing Partnership Fund Budget for the Nealtown Farms Park Project.

After brief discussion, Councilmember Jones moved adoption of the ordinance. The motion was seconded by Councilmember Johnson; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-33 ORDINANCE AMENDING THE FY 99-00 HOUSING PARTNERSHIP FUND BUDGET FOR THE NEALTOWN FARMS PARK PROJECT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the FY 99-00 Annual Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the Housing Partnership Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
211-2240-02.5949	Miscellaneous Expenses	\$25,000

and, that this increase be financed by increasing the following Housing Partnership Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
211-0000-00.8900	Appropriated Fund Balance	\$25,000

(Signed) Earl Jones

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The Mayor introduced a resolution approving Management Agreements with Greater Greensboro Housing Foundation for Autumn Drive and Camel Street Apartments and with Ole Asheboro Neighborhood Association for Nettie Coad Apartments.

Linda Wilson, Housing and Community Development Department, detailed the process to seek competitive bids for the management of the Autumn and Camel units to ensure the City would receive the highest quality cost efficient management for the units. She also detailed the City's work with the Ole Asheboro Neighborhood Association to develop a management proposal for the Nettie Coad Apartments, one of the dominant real estate features of their neighborhood, which would ensure the units were well managed and also provide income to the neighborhood association for support of the Neighborhood Resource Center. Ms. Wilson provided additional details of the proposed management agreements and requested Council's approval.

After brief discussion, Councilmember Jones moved adoption of the resolution. The motion was seconded by Councilmember Burroughs-White; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

22-00 RESOLUTION APPROVING MANAGEMENT AGREEMENTS WITH GREATER GREENSBORO HOUSING FOUNDATION FOR AUTUMN DRIVE AND CAMEL STREET APARTMENTS AND OLD ASHEBORO NEIGHBORHOOD ASSOCIATION FOR NETTIE COAD APARTMENTS

WHEREAS, the City currently offers 32 affordable housing units on Autumn Drive and Camel Street and 30 units in the old Caldwell School known as the Nettie Coad Apartments which benefits families and individuals with income below the 60 percent median;

WHEREAS, after serving as the management firm over these complexes for the past seven years the Greater Greensboro Housing Foundation lease expired July 31, 1999;

WHEREAS, the Community Resource Board has appointed a Review Committee to evaluate management proposals submitted for these complexes to cover a three year period which shall begin March 1, 2000;

WHEREAS, the Greater Greensboro Housing Foundation submitted the only proposal for the Autumn Drive and Camel Street apartments with the management fees being 12% and 14% of the gross income respectively;

WHEREAS, two proposals were received for the Nettie Coad Apartments and, after review by the Committee, it was recommended that the management agreement proposal of the Ole Asheboro Street Neighborhood Association be accepted providing that any excess revenues after payment of the annual \$1.00 lease fee and any repair and maintenance expenses, be utilized to further the neighborhood self-sufficiency programs as sponsored by the Neighborhood Resource Center to benefit the Ole Asheboro neighborhood;

WHEREAS, it is deemed in the best interest of the City to enter into Management Agreements with the Greater Greensboro Housing Foundation and the Ole Asheboro Neighborhood Association.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Management Agreements with The Greater Greensboro Housing Foundation for the Autumn Drive and Camel Street Apartments and with Ole Asheboro Neighborhood Association for the Nettie Coad Apartments are hereby approved and the City Manager is hereby authorized to execute said agreements on behalf of the City of Greensboro.

(Signed) Earl Jones

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Noting that he personally liked the idea of beginning regular Council meetings at 5:00 p.m., Councilmember Jones requested that Council formally discuss scheduling all regular meetings at that time. After brief discussion of various opinions and concerns, it appeared to be the consensus of Council that this matter would be discussed at the February 15, 2000 meeting of Council to allow time for citizen input.

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Council discussed the numerous activities scheduled to commemorate the 40th Anniversary of the Woolworth Sit-In, spoke to the special guests scheduled to attend and/or receive special awards at various events, and encouraged citizen participation.

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Councilmember Johnson moved that Marvin H. Watkins be appointed to serve a term on the Zoning Commission; this term will expire 15 August 2002. The motion was seconded by Councilmember Jones and adopted unanimously by voice vote of the Council.

Councilmember Johnson provided details with respect to an upcoming Women's Resource Center funding raising event at the Carolina Theatre.

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Councilmember Vaughan moved that Sue Mengert be appointed to fill unexpired portion of term of Kimberly Breeden on the Commission on the Status of Women; this term will expire 15 August 2001. The motion was seconded by Councilmember Johnson and adopted unanimously by voice vote of the Council.

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Councilmember Perkins moved that Joyce Fairley be appointed to serve a term on the Commission on the Status of Women; this term will expire 15 August 01. The motion was seconded by Councilmember Johnson and adopted unanimously by voice vote of the Council.

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In response to an inquiry by Councilmember Phillips, the Manager advised he had received a draft of information regarding projected revenues for the bus station.

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The Mayor advised the January 25 briefing had been rescheduled to begin at 9:00 a.m. on Tuesday, February 8. Councilmembers Phillips and Vaughan indicated they had conflicts for portions of that meeting.

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The City Manager advised he and Deputy City Manager Mona Edwards would attend the City-County Managers' Conference in Chapel Hill on February 2-4. He asked Council to contact Pat Boswell in his office for any needed assistance.

Councilmember Perkins moved that the City Council adjourn. The motion was seconded by Councilmember Phillips and adopted unanimously by voice vote of the Council.

THE CITY COUNCIL ADJOURNED AT 8:51 P.M.

JUANITA F. COOPER
CITY CLERK

KEITH A. HOLLIDAY
MAYOR
